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ABSTRACT

This document presents witness testimony and prepared statements from the second of three hearings conducted as part of the reauthorization process for the Child Abuse Prevention and Treatment Act and the Family Violence Prevention and Services Act. In his opening statement, Representative Major Owens poses questions to be answered in the hearing. Jean Elder, assistant secretary, Office of Human Development Services, United States Department of Health and Human Services, provides an overview of her office's initiatives and programs that address the problem of child abuse and neglect and discusses proposals to reauthorize the Child Abuse Prevention and Treatment Act. Elder describes how her department administers the Act, focusing on four areas of activity: (1) the generation of knowledge and improvement of programs; (2) the collection, analysis, and dissemination of information; (3) the administration of a state grant program which provides funds to develop, strengthen, and carry out prevention and treatment programs; and (4) coordination of federal efforts to prevent child abuse and neglect, primarily through the Advisory Board on Child Abuse and Neglect. Questions by subcommittee members and answers by Elder and also by Dodie Livingston, commissioner, Administration for Children, Youth and Families; and Jane Burnley, associate commissioner, Children's Bureau are included. The minutes of the National Center for Child Abuse and Neglect Advisory Board meetings for November 1985 and June 1986 are provided. (NB)

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REAUTHORIZATION OF THE CHILD ABUSE PREVENTION AND TREATMENT ACT

ED294081

HEARING

BEFORE THE

SUBCOMMITTEE ON SELECT EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, APRIL 23, 1987

Serial No. 100–46

Printed for the use of the Committee on Education and Labor

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REAUTHORIZATION OF THE CHILD ABUSE PREVENTION AND TREATMENT ACT

THURSDAY, APRIL 23, 1987

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON SELECT EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to recess, at 10:35 a.m., in room 2257, Rayburn House Office Building, Hon. Major R. Owens (chairman of the subcommittee) presiding.

Members present: Representatives Owens and Hawkins.

Staff present: Laurence Peters, legislative counsel; Patricia Laird, legislative assistant; Lance Ogiste, legislative assistant; Yolanda Aviles, research assistant and David Esquith, counsel to ranking minority member of the subcommittee.

Mr. OWENS. The hearing of the Subcommittee on Select Education of the Education and Labor Committee will now commence. We apologize for our late beginning, but we will proceed with one set of witnesses in a few minutes.

I have an opening statement which I will submit fully for the record. I will read part of it.

Today's hearing is the second of three hearings of the Subcommittee on Select Education being conducted as part of the reauthorization process for the Child Abuse Prevention and Treatment Act and the Family Violence Prevention and Services Act.

Hostile neglect appears to be the unwritten policy of the Reagan Administration toward these two programs. The staff vacancies and the delays in meeting important timetables are obvious signs of the bureaucratic hostility. A recent and thorough review by the Government Operations Committee documents much detailed evidence of this policy throughout the Department of Health and Human Services. A contemptuous administration of these programs which borders on lawlessness is the pattern for each component. It is clear that refusai to obey the intent of Congress is not a practice limited to foreign policy and national security. The White House basement mentality of arrogant lawlessness appears to dominate the units of the Department of Health and Human Services which are responsible for administering Public Law 93-247.

Regardless of the ideological outlook of the President and his appointees, these two laws have been enacted. The American people deserve a performance which goes beyond the current policy of hostile neglect emanating from officials who have taken an oath to implement the laws of this Nation. At all times we must remember

that these programs were created in response to the overwhelming concerns of the American people. These are small but vitally important efforts to coordinate, to research, and to stimulate new and sound initiatives to prevent child abuse and family violence.

It was in recognition of the fact that efforts of individual States were not enough that the Federal role was launched. Despite numerous obstacles, this national effort has succeeded in establishing a beachhead for families. Impressive gains have been made so far which justify the reauthorization of both of these acts.

Unfortunately, the progress has been made with little help and much resistance. Before we can move forward with a creative pruning and adjustment of the existing programs, it is necessary to clear away certain impediments and obstacles caused by the atmosphere of hostile neglect. Certain abuses must be addressed to ascertain what new actions are needed by Congress to guarantee that its intent will be followed in the future. Among these abuses and shortcomings are the following.

One, refusal to distribute to the qualifying States the $5 million appropriated by Congress for the Children's Trust Funds. This action was taken at a time when reported child abuse cases rose 158 percent between 1976 and 1984.

Two, when regulations for the Children's Trust Funds were finally written in 1986, 10 States were deliberately omitted. This long delay was a violation of the Impoundment Control Act of 1974.

Three, for 2 consecutive years, fiscal years 1985 and 1986, the National Center on Abuse and Neglect failed to allow comment periods for the priority areas it chose to select for grant funding as mandated by the law.

Four, the Department has refused to release $8.5 million appropriated by Congress last December for the Family Violence Prevention and Services Act.

Also, a report by the Committee on Government Operations entitled "Mismanagement of the Office of Human Development Services: Undermining Programs for Children, the Disabled, and the Elderly" lists the following additional hostile activities and violations. I won't enumerate those, but that report has been circulated and distributed to the public.

Almost 15 years ago the Child Abuse Prevention and Treatment Act was signed into law. Public Law 93-247 authorized the setting-up of the National Center on Child Abuse and Neglect. The Center's main responsibilities were to make grants to the States to implement State child abuse and neglect prevention and treatment programs. The act also authorized funds for research, demonstration and service improvement programs. The act was originally proposed by the Department of Health, Education and Welfare, and perhaps as an indication of how they began to view the fledgling program, NCCAN was placed on the fourth level down of the social services bureaucracy in the Department of Health and Human Services. Above the Department are the Children's Bureau, the Administration on Children, Youth and Families, and the Office of Human Development Services.

Some of us look back to the early 1970's when the Federal effort in child abuse and neglect had centered on the Child Advocacy Office of the Children's Bureau, which reported directly to the Sec-

retary of HEW. This is not to say that the passage of the act did not mean positive and valuable gains in the area of child abuse and neglect, as well as more recently in the field of family violence. But in focusing on the achievements we must not lose sight of the practical realities of an administration that can, if it so wishes, strangle the most progressive intentions of Congress in a web of bureaucratic inaction.

It is important to reemphasize that this hearing takes place against a backdrop of an unprecedented increase in the incidence of child abuse across the Nation. Between 1981 and 1985, the child abuse and neglect rates increased nationwide approximately 55 percent.

Today, we will be seeking answers to several basic questions. Is the National Center on Child Abuse and Neglect providing the leadership which the law requires? Why are there delays in the issuance of regulations and funding when the needs for urgent action are so clear? Why are there continuing delays? And also, another basic question, the most basic question, how can we improve the effectiveness of the programs authorized under the Child Abuse Prevention and Treatment Act? How much of our task should be taken up with ensuring that the administration complies with the law as it has been written, and how much should we concern ourselves with making changes, adjustments and corrections which will improve the law?

Today we have witnesses representing the Department of Health and Human Services. We have invited Dr. Otis Bowen, the Secretary for the Department, and he is represented here by Jean K. Elder, the Assistant Secretary, Office of Human Development Services; Ms. Dodie Livingston, Commissioner, Administration for Children, Youth and Families; and Dr. Jane Burnley, Associate Commissioner, Children's Bureau.

Before we commence, however, I would like to thank our committee chairman, Mr. Hawkins, for joining us at the last minute. I hope he will be able to stay, but he has joined us as a result of the emergency which required the absence of two other Members, Mr. Williams and Mr. Biaggi, who will be joining us later.

I also would like to acknowledge that Congressman Ted Weiss has submitted a statement which we will, without objection, enter into the record in its entirety, concerning his report on the mismanagement of the Health and Human Services—the Human Services Development Unit.

Mr. OWENS. We will begin with the testimony of Dr. Jean Elder.

STATEMENT OF JEAN K. ELDER, ASSISTANT SECRETARY, OFFICE OF HUMAN DEVELOPMENT SERVICES, ACCOMPANIED BY DODIE LIVINGSTON, COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH, AND FAMILIES, AND JANE BURNLEY, ASSOCIATE COMMISSIONER, CHILDREN'S BUREAU

Ms. ELDER. Thank you, Mr. Chairman and members of the committee.

I am pleased to have this opportunity today to provide an overview of the Office of Human Development Services initiatives and programs that address the problem of child abuse and neglect and

to discuss our proposals to reauthorize the Child Abuse Prevention and Treatment Act. As you mentioned, with me today I have Dodie Livingston, the Commissioner of the Administration for Children, Youth and Families; Dodie is sitting to my left. And to my right, Dr. Jane, Burnley, the Associate Commissioner of the Administration for Children, Youth, and Families.

Mr. Chairman, I share, as do my colleagues, your concern for the protection of all vulnerable children and agree that child abuse and neglect is a tragic national problem.

Our awareness and response to the problem of child abuse has grown significantly since the Child Abuse Prevention and Treatment Act was first enacted in 1974. All States now have child abuse reporting laws and expanded child protective services. The public's awareness of child abuse has also grown during this period, increasing from 10 percent in 1976 to 90 percent in 1984. Consequently, we have seen a continuing increase in the number of reports of abuse and neglect. In 1985, there were 1.9 million reports of child maltreatment. Approximately 39 percent of these reports were substantiated upon investigation.

Protecting our children from abuse and neglect is everyone's responsibility. Government programs alone will not solve this problem. We must involve families, professionals, communities, the private sector and national and local organizations. However, since parents have the primary responsibility for protecting their children, services to assist them in carrying out their responsibilities are best planned and provided at the local level so that they are responsive to parental circumstances.

One of the most encouraging developments in recent years is the increased involvement of foundations and the private and corporate sectors in the prevention and treatment of child abuse. Organizations such as Toy Manufacturers of America, the Southland Corporation, Marvel Comics, the Conrad Hilton Foundation, the Association of Junior Leagues, Inc., and the National Council of Jewish Women have increasingly provided leadership and commitment to a wide variety of child abuse prevention activities.

The role of the Federal Government is to provide national leadership and to assist States and communities to develop, expand and improve programs to prevent, identify and treat child abuse and neglect.

Now I would like to briefly describe how the Department administers the Child Abuse Prevention and Treatment Act.

The National Center on Child Abuse and Neglect [NCCAN], established by the Child Abuse Prevention and Treatment Act of 1974, is located in the Children's Bureau of the Administration for Children, Youth and Families in the Office of Human Development Services. NCCAN serves as the Federal focal point for child abuse and neglect issues and programs. The administration of the Federal child abuse program has focused on four major areas of activity.

First, generating knowledge and improving programs. This is carried out primarily through the funding of research, demonstration, and service improvement projects. My complete testimony describes some of the most recent issues and priorities on which we have focused in order to provide leadership in the field of child abuse and neglect.

Our major initiatives have centered on, one, preventing family disruption and improving family functioning so that child abuse and neglect is prevented; second, improving the protective services system so that children at risk are identified and provided with needed services; and third, supporting training and professional development for the child protection work force.

Second, NCCAN plays a major role in collecting, analyzing, and disseminating information, the National Information Clearinghouse. Support has been provided for a clearinghouse on child abuse and neglect information which serves both professionals and laymen. A national study of the incidence and prevalence of child abuse and neglect is being conducted by Westat, Inc. The preliminary findings are due by June 1987.

Exchange of information—the National Center also provides opportunities for the exchange and sharing of information among funded grantees.

Third, we administer a State grant program available to 57 jurisdictions which provides funds to develop, strengthen and carry out prevention and treatment programs. In 1986, 54 child abuse and neglect State basic grants and 46 "Baby Doe" State grants were awarded. To assist States with information sharing on emerging issues in child abuse and neglect, twice each year we convene a meeting of all State liaison officers for child abuse and neglect.

Fourth, we have responsibility for coordinating Federal efforts to prevent child abuse and neglect. The major mechanism for coordination among Federal agencies to prevent child abuse and neglect is the Advisory Board on Child Abuse and Neglect.

I would like to highlight some additional responsibilities and activities.

"Baby Doe" requirements—one of the most significant issues in the 1984 amendments to the act was the so-called Baby Doe requirements. We are proud of our implementation of these provisions, which are designed to ensure that medical treatment and care are provided to disabled infants with life-threatening conditions.

The Federal challenge grants—we implemented the Federal challenge grants programs, which made funds available to encourage States to establish and maintain trust funds or other funding mechanisms, including appropriations, to support child abuse and neglect prevention activities.

The Children's Justice Act—we have also taken steps to implement the Children's Justice and Assistance Act of 1986, Public Law 99-401. This act will provide grants to assist States in developing, establishing, and operating programs designed to improve the handling of child abuse cases, particularly cases of child sexual abuse.

The administration strongly supports the Child Abuse Prevention and Treatment Act and the Adoption Opportunities Program. We have submitted to Congress legislation to reauthorize these programs for 3 years, preserving the basic structure and purposes of the law and proposing modifications to certain sections of the law. The principal features of the administration's bill are as follows.

One, the bill would allow States that did not meet the original October 9, 1985 deadline for the "Baby Doe" requirements but that

now have the required procedures and programs in place, to be eligible for grant funds.

Two, the bill would amend the Secretary's discretionary authority for demonstration programs and projects to reflect more accurately the types of activities which should be supported in response to current and future service needs. Our proposal will permit interdisciplinary training, technical assistance, service demonstration, and evaluation projects.

Three, the draft bill would also repeal the authority for Federal challenge grants. Since most States have established trust funds or similar mechanisms to support child abuse and neglect prevention activities, this authority has more than adequately served its purpose.

Before closing I would like to say a few words about the report recently issued by the House Government Operations Committee. This report makes allegations in two general areas, that HDS violated Federal law by delaying funding for certain programs, and secondly, that HDS mismanaged its discretionary process.

I want to assure you, Mr. Chairman, that no Federal laws were or are being violated, that all fiscal year 1985 grant awards were issued, including funds for the challenge grant and the family violence programs; that we are in the process of requesting applications for fiscal year 1987 funds, and that grant awards will be made before the end of the fiscal year.

I am strongly committed to implementing all programs for which HDS has responsibility. With respect to the HDS discretionary grants, I believe the authors of the report may misunderstand our grant-making process. I would like to clarify how funding decisions for our research and demonstration projects are made. I also want to make it perfectly clear that I am committed to funding high-quality, innovative discretionary grants in accordance with the law.

The Secretary has delegated to me the authority to administer and determine funding allocations for discretionary grants, and I take this responsibility very seriously. For the last several years we have coordinated our discretionary grant funds into one application, review and funding process. We announce our funding priorities for all HDS discretionary programs in one grant announcement, published in the Federal Register. This coordinated process allowed us to avoid duplication, make better use of our grant funds, fund cross-cutting projects, and focus on HDS goals that serve all our service populations.

For example, grants have been awarded to use retired or older persons as tutors and counsellors in schools and as assistants in the Head Start Program. Such a cross-cutting project uses the expertise of the administration for Older Americans, the Head Start Program, and the Child Welfare Service Program.

One of our most successful grants was the Adopt A Grandparent project where children adopted older persons in nursing homes. This has been replicated in many places around the country and is enormously popular. This also is an example of a cross-cutting grant involving both the Older Americans Act and child welfare funds.

Another grant developed procedures for legal and future care planning for adults who are developmentally disabled. This project

turned out to be extremely helpful to serve persons who have Alzheimer's disease.

Projects are first screened, then ranked by outside reviewers. Reviewers' scores are then used by the HDS senior staff as one factor in making funding decisions. The Government Operations Committee appears to assume that the rank order scores of reviewers are the only factor that should be considered in making funding decisions.

We are looking for the best, most highly qualified and innovative projects we can find. In addition to reviewers' scores, we also consider several other factors that we list in our Federal Register announcement. They are substantial innovation to improve theory or practice in the field of human services; equitable distribution among States, geographical areas, and rural and urban areas; substantial ethnic or minority focus on those most in need; model programs or procedures that have the potential for dissemination or improved service delivery; substantial involvement of volunteers; substantial involvement, either financially or programmatically, of the private sector or of a national or community foundation; possibility of a large degree of benefit for a small Federal investment.

The coordinated discretionary grant process has evolved and has been improved over the past few years. I am committed to making this the very best grant process possible.

In conclusion, we all agree that the problems of child abuse and neglect are complex and cause for continuing concern. There has been tremendous change in this field in the past decade, and more is on the horizon. This is a critical period for those working in the field of child abuse and neglect on behalf of children. We look forward to our continued work with States and communities in addressing these issues and in the protection of our Nation's children.

Mr. Chairman, I pledge every effort to communicate with this committee and work with this committee to the end that our response as a Nation to the tragic incidence of child maltreatment is appropriate, and thus effective.

Now, I will be happy to answer questions, as will Commissioner Livingston and Associate Commissioner Burnley.

[The prepared statement of Jean K. Elder follows:]

STATEMENT BY

JEAN K. ELDER, PH.D.
ASSISTANT SECRETARY FOR
HUMAN DEVELOPMENT SERVICES-DESIGNATE

BEFORE

SUBCOMMITTEE ON SELECT EDUCATION
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
APRIL 23, 1987

MR. CHAIRMAN, MEMBERS OF THE SUBCOMMITTEE

I AM PLEASED TO HAVE THIS OPPORTUNITY TODAY TO PROVIDE AN OVERVIEW OF THE OFFICE OF HUMAN DEVELOPMENT SERVICES (HDS) INITIATIVES AND PROGRAMS THAT ADDRESS THE PROBLEM OF CHILD ABUSE AND NEGLECT AND TO DISCUSS OUR PROPOSALS TO REAUTHORIZE THE CHILD ABUSE PREVENTION AND TREATMENT ACT. I AM ESPECIALLY PLEASED TO APPEAR DURING NATIONAL CHILD ABUSE PREVENTION MONTH. WITH ME TODAY ARE DODIE LIVINGSTON, COMMISSIONER OF THE ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES AND DR. JANE BURNLEY, ASSOCIATE COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES.

MR. CHAIRMAN, I SHARE YOUR CONCERN FOR THE PROTECTION OF ALL VULNERABLE CHILDREN AND AGREE THAT CHILD ABUSE AND NEGLECT IS A TRAGIC NATIONAL PROBLEM.

OUR AWARENESS AND RESPONSE TO THE PROBLEM OF CHILD ABUSE HAS GROWN SIGNIFICANTLY SINCE THE CHILD ABUSE PREVENTION AND TREATMENT ACT WAS FIRST ENACTED IN 1974. ALL STATES NOW HAVE CHILD ABUSE REPORTING LAWS AND EXPANDED CHILD PROTECTIVE SERVICES. THE PUBLIC'S AWARENESS OF CHILD ABUSE HAS ALSO GROWN DURING THIS PERIOD, INCREASING FROM 10 PERCENT IN 1976 TO 90 PERCENT IN 1984.

CONSEQUENTLY, WE HAVE SEEN A CONTINUING INCREASE IN THE NUMBER OF REPORTS OF ABUSE AND NEGLECT. IN 1985, THERE WERE 1.9 MILLION REPORTS OF CHILD MALTREATMENT. APPROXIMATELY 39 PERCENT OF THESE REPORTS WERE SUBSTANTIATED UPON INVESTIGATION.

PROTECTING OUR CHILDREN FROM ABUSE AND NEGLECT IS EVERYONE'S RESPONSIBILITY. GOVERNMENT PROGRAMS ALONE WILL NOT SOLVE THIS PROBLEM. WE MUST INVOLVE FAMILIES, PROFESSIONALS, COMMUNITIES, THE PRIVATE SECTOR AND NATIONAL AND LOCAL ORGANIZATIONS. HOWEVER, SINCE PARENTS HAVE THE PRIMARY RESPONSIBILITY FOR PROTECTING THEIR CHILDREN, SERVICES TO ASSIST THEM IN CARRYING OUT THIS RESPONSIBILITY ARE BEST PLANNED AND PROVIDED AT THE LOCAL LEVEL SO THAT THEY ARE RESPONSIVE TO PARENTAL CIRCUMSTANCES.

ONE OF THE MOST ENCOURAGING DEVELOPMENTS IN RECENT YEARS IS THE INCREASED INVOLVEMENT OF FOUNDATIONS AND THE PRIVATE AND CORPORATE SECTORS IN THE PREVENTION AND TREATMENT OF CHILD ABUSE. ORGANIZATIONS SUCH AS THE TOY MANUFACTURERS OF AMERICA, THE SOUTHLAND CORPORATION, MARVEL COMICS, THE CONRAD HILTON FOUNDATION, THE ASSOCIATION OF JUNIOR LEAGUES, INC. AND THE NATIONAL COUNCIL OF JEWISH WOMEN HAVE INCREASINGLY PROVIDED LEADERSHIP AND COMMITMENT TO A WIDE VARIETY OF CHILD ABUSE PREVENTION ACTIVITIES.

FEDERAL ROLE

THE ROLE OF THE FEDERAL GOVERNMENT IS TO PROVIDE NATIONAL LEADERSHIP AND TO ASSIST STATES AND COMMUNITIES TO DEVELOP, EXPAND AND IMPROVE PROGRAMS TO PREVENT, IDENTIFY AND TREAT CHILD ABUSE AND NEGLECT.

IN DISCUSSING HOW WE CARRY OUT THAT ROLE, I WOULD LIKE TO BRIEFLY DESCRIBE HOW THE DEPARTMENT ADMINISTERS THE CHILD ABUSE PREVENTION AND TREATMENT ACT. THE NATIONAL CENTER ON CHILD ABUSE AND NEGLECT (NCCAN), ESTABLISHED BY THE CHILD ABUSE PREVENTION AND TREATMENT ACT IN 1974, IS LOCATED IN THE CHILDREN'S BUREAU OF THE ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES IN THE OFFICE OF HUMAN DEVELOPMENT SERVICES. NCCAN SERVES AS THE FEDERAL FOCAL POINT FOR CHILD ABUSE AND NEGLECT ISSUES AND PROGRAMS. THE ADMINISTRATION OF THE FEDERAL CHILD ABUSE PROGRAM HAS FOCUSED ON FOUR MAJOR AREAS OF ACTIVITY:

- FIRST, GENERATING KNOWLEDGE AND IMPROVING PROGRAMS. THIS IS CARRIED OUT PRIMARILY THROUGH THE FUNDING OF RESEARCH, DEMONSTRATION, AND SERVICE IMPROVEMENT PROJECTS.

-- Address Critical Issues

We have used these funds to address the critical issues in the field and to replicate proven successful projects in the prevention, identification and treatment of child abuse and neglect.

-- Use of Discretionary Funds to Improve Local Programs

Our discretionary funds are being used to demonstrate models and replicate exemplary practices in areas such as neglect, child sexual abuse, assistance for teenage parents, and multidisciplinary training. In addition, we have expanded successful efforts such as the recruitment of volunteers to serve as Court Appointed Special Advocates (CASAs) to work within the court system; developing tools and products that will be helpful to those working at State and community levels; and promoting the development of public education materials, particularly in areas such as child sexual abuse.

-- Child Abuse Prevention

A particular area of interest, which is also highlighted in the FY 1987 HDS Coordinated Discretionary Grants Process, is assessing the effectiveness of child abuse and neglect prevention programs. Twenty applications have been received in response to this priority area. We expect to fund two projects. The results will be used to encourage improvement in programs.

o Second, NCCAN plays a major role in collecting, analyzing and disseminating information.

-- National Information Clearinghouse

Support has been provided for a Clearinghouse on Child Abuse and Neglect Information which serves both professionals and laymen.

1. During FY 1986, this Clearinghouse distributed over 50,000 publications in response to over 15,000 requests for information from child protective service workers, law enforcement personnel, educators, government officials and other professional and lay persons working in child abuse and neglect.

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2. Over 1,500 items were added to the clearinghouse database including books, journal articles, audio-visuals, program information, State statutes and legal cases.

3. In addition, several publications, including an analysis of State child abuse and neglect laws and a literature review on sexual abuse, were completed and are being distributed.

4. An order for 3,000 copies of the Literature Review on Sexual Abuse has gone to the printer. A review of child abuse and neglect research for 1985 was also completed.

-- Data Collection on Reports of Child Abuse

From 1976-1984, the American Humane Association's (AHA) Children's Division collected data annually from the States on official reports of child maltreatment.

IN 1985, DATA COLLECTION WAS CONDUCTED UNDER THE AUSPICES OF THE NATIONAL RESOURCE CENTER ON CHILD ABUSE AND NEGLECT AT THE AHA. WE WILL BE AWARDING A THREE-YEAR CONTRACT IN EARLY FY 1988 TO COLLECT AND ANALYZE CHILD MALTREATMENT REPORTS FROM THE STATES IN ORDER TO IMPROVE THE DATA AVAILABLE FOR 1986, 1987, AND 1988.

-- A NATIONAL STUDY OF THE INCIDENCE AND PREVALENCE OF CHILD ABUSE AND NEGLECT IS BEING CONDUCTED BY WESTAT, INC.. THE PRELIMINARY FINDINGS ARE DUE BY JUNE 1987.

-- EXCHANGE OF INFORMATION

THE NATIONAL CENTER ALSO PROVIDES OPPORTUNITIES FOR THE EXCHANGE AND SHARING OF INFORMATION AMONG FUNDED GRANTEES THROUGH GRANTEE MEETINGS WHICH PULL TOGETHER STAFF FROM ALL PROJECTS IN A SINGLE PRIORITY AREA OR ON RELATED ISSUES SO THEY CAN COLLABORATE AND BENEFIT FROM EACH OTHER'S EXPERIENCE. THIS YEAR WE HAVE ALREADY CONDUCTED FOUR SUCH MEETINGS IN THE AREAS OF CHILD SEXUAL ABUSE, ABUSE IN OUT-OF-HOME SETTINGS, TEENAGE PREGNANCY, AND CASAs.

- Third, we administer a State grant program available to 57 jurisdictions which provides funds to develop, strengthen and carry out prevention and treatment programs.

  -- In 1986, 54 child abuse and neglect State basic grants and 46 "Baby Doe" State grants were awarded.

  -- To assist States with information sharing on emerging issues in child abuse and neglect, twice each year, we convene a meeting of all State Liaison Officers for Child Abuse and Neglect.

- Fourth, we have responsibility for coordinating Federal efforts to prevent child abuse and neglect.

  -- The major mechanism for coordination among Federal agencies to prevent child abuse and neglect is the Advisory Board on Child Abuse and Neglect. The Advisory Board currently consists of 31 Federal and 12 non-Federal members.

-- THE NEXT MEETING OF THE ADVISORY BOARD ON CHILD ABUSE AND NEGLECT IS SCHEDULED FOR JUNE 1987.

ADDITIONAL ACTIVITIES

I WOULD LIKE TO HIGHLIGHT SOME ADDITIONAL RESPONSIBILITIES AND ACTIVITIES:

o "BABY DOE" REQUIREMENTS

ONE OF THE MOST SIGNIFICANT ISSUES IN THE 1984 AMENDMENTS TO THE ACT WAS THE SO CALLED "BABY DOE" REQUIREMENTS. WE ARE PROUD OF OUR IMPLEMENTATION OF THESE PROVISIONS WHICH ARE DESIGNED TO ENSURE THAT MEDICAL TREATMENT AND CARE ARE PROVIDED TO DISABLED INFANTS WITH LIFE THREATENING CONDITIONS. THESE INCLUDE:

-- THE FINAL BABY DOE REGULATIONS AND MODEL GUIDELINES FOR INFANT CARE REVIEW COMMITTEES WERE PUBLISHED IN APRIL 1985 AS REQUIRED;

-- GRANTS WERE AWARDED TO STATES TO ASSIST THEM TO IMPLEMENT THESE PROVISIONS;

-- STATE PROGRAMS AND PROCEDURES DESIGNED TO IMPLEMENT THE BABY DOE REQUIREMENTS WERE REVIEWED. ALL STATES EXCEPT PENNSYLVANIA, INDIANA, AND CALIFORNIA HAVE SUCH PROVISIONS IN PLACE;

-- THE NATIONAL INFORMATION AND RESOURCE CLEARINGHOUSE WAS ESTABLISHED THROUGH AN AWARD TO THE UNIVERSITY OF SOUTH CAROLINA; AND

-- THE OFFICE OF THE INSPECTOR GENERAL (OIG) IS CONDUCTING A PROGRAM INSPECTION ON THE IMPLEMENTATION OF THE "BABY DOE" PROVISIONS. THE PURPOSE OF THE INSPECTION IS TO VERIFY THE SYSTEMS STATES HAVE IN PLACE TO PROTECT DISABLED INFANTS WITH LIFE-THREATENING CONDITIONS.

o FEDERAL "CHALLENGE GRANTS"

WE IMPLEMENTED THE FEDERAL CHALLENGE GRANTS PROGRAM WHICH MAKES FUNDS AVAILABLE TO ENCOURAGE STATES TO ESTABLISH AND MAINTAIN TRUST FUNDS OR OTHER FUNDING MECHANISMS, INCLUDING APPROPRIATIONS, TO SUPPORT CHILD ABUSE AND NEGLECT PREVENTION ACTIVITIES.

-- THE DEPARTMENT AWARDED 33 GRANTS TOTALING $4.8 MILLION IN FY 1986.

-- WE ANTICIPATE THAT MORE GRANTS WILL BE AWARDED IN FY 1987 FOR THIS PURPOSE.

-- TO MAXIMIZE THE EFFECTIVENESS OF THE PREVENTION PROGRAM, LAST YEAR WE AWARDED A GRANT TO THE NATIONAL COMMITTEE FOR PREVENTION OF CHILD ABUSE (NCPCA) TO PROVIDE TECHNICAL ASSISTANCE TO STATES REGARDING EFFECTIVE PREVENTION ACTIVITIES.

o THE CHILDREN'S JUSTICE ACT

WE HAVE ALSO TAKEN STEPS TO IMPLEMENT THE CHILDREN'S JUSTICE AND ASSISTANCE ACT OF 1986 (P.L. 99-401). THIS ACT WILL PROVIDE GRANTS TO ASSIST STATES IN DEVELOPING, ESTABLISHING, AND OPERATING PROGRAMS DESIGNED TO IMPROVE THE HANDLING OF CHILD ABUSE CASES, PARTICULARLY CASES OF CHILD SEXUAL ABUSE.

REAUTHORIZATION OF THE CHILD ABUSE PREVENTION AND TREATMENT ACT AND THE ADOPTION OPPORTUNITIES PROGRAM

THE ADMINISTRATION STRONGLY SUPPORTS THE CHILD ABUSE PREVENTION AND TREATMENT ACT AND THE ADOPTION OPPORTUNITIES PROGRAM. WE HAVE SUBMITTED TO CONGRESS LEGISLATION TO REAUTHORIZE THESE PROGRAMS FOR THREE YEARS, PRESERVING THE BASIC STRUCTURE AND PURPOSES OF THE LAW AND PROPOSING MODIFICATIONS TO CERTAIN SECTIONS OF THE LAW. THE PRINCIPAL FEATURES OF THE ADMINISTRATION'S BILL ARE:

1) THE BILL WOULD ALLOW STATES THAT DID NOT MEET THE ORIGINAL OCTOBER 9, 1985 DEADLINE FOR THE "BABY DOE" REQUIREMENTS, BUT THAT NOW HAVE THE REQUIRED PROCEDURES AND PROGRAMS IN PLACE, TO BE ELIGIBLE FOR GRANT FUNDS.

2) THE BILL WOULD AMEND THE SECRETARY'S DISCRETIONARY AUTHORITY FOR DEMONSTRATION PROGRAMS AND PROJECTS TO REFLECT MORE ACCURATELY THE TYPES OF ACTIVITIES WHICH SHOULD BE SUPPORTED IN RESPONSE TO CURRENT AND FUTURE SERVICE NEEDS. OUR PROPOSAL WILL PERMIT INTERDISCIPLINARY TRAINING, TECHNICAL ASSISTANCE, SERVICE DEMONSTRATION, AND EVALUATION PROJECTS.

3) THE DRAFT BILL WOULD ALSO REPEAL THE AUTHORITY FOR FEDERAL CHALLENGE GRANTS. SINCE MOST STATES HAVE ESTABLISHED TRUST FUNDS OR SIMILAR MECHANISMS TO SUPPORT CHILD ABUSE AND NEGLECT PREVENTION ACTIVITIES, THIS AUTHORITY HAS MORE THAN ADEQUATELY SERVED ITS PURPOSE.

INITIATIVES AND ACTIVITIES

NOW, I WOULD LIKE TO HIGHLIGHT SOME OF THE RECENT ISSUES AND PRIORITIES ON WHICH WE HAVE FOCUSED IN ORDER TO PROVIDE LEADERSHIP IN THE FIELD OF CHILD ABUSE AND NEGLECT.

OUR MAJOR INITIATIVES HAVE CENTERED ON:

1. PREVENTING FAMILY DISRUPTION AND IMPROVING FAMILY FUNCTIONING, SO THAT CHILD ABUSE AND NEGLECT IS PREVENTED.

2. IMPROVING THE PROTECTIVE SERVICES SYSTEM, SO THAT CHILDREN AT RISK ARE IDENTIFIED AND PROVIDED WITH NEEDED SERVICES.

3. SUPPORTING TRAINING AND PROFESSIONAL DEVELOPMENT FOR CHILD PROTECTION WORKFORCE.

o Prevention of Abuse and Neglect Through Family Based Services

HDS, in accordance with the provisions of the Adoption Assistance and Child Welfare Act of 1980 that also emphasizes preventive services, has encouraged States to redirect their efforts and resources from removing the child from the home to providing family based services so that child can remain with the family whenever possible. HDS has undertaken several projects in this area:

-- ACYF's National Resource Center on Family Based Services: The Resource Center has conducted Statewide training and provided technical assistance on family based services in more than 40 States and is disseminating resource materials to those States interested in passing legislation, developing programs, implementing standards for services, or other activities to facilitate the provision of family based services.

THE CENTER'S APPROACH TO FAMILY BASED SERVICES IS CHARACTERIZED BY A CAREFUL ASSESSMENT OF THE ENTIRE FAMILY, IDENTIFYING BOTH STRENGTHS AND WEAKNESSES, FROM WHICH A CASE PLAN IS DEVELOPED JOINTLY BY THE FAMILY AND THE WORKER. MOST SERVICE DELIVERY IS IN THE FAMILY HOME OVER A RELATIVELY SHORT TERM, FREQUENTLY THREE MONTHS OR LESS. SUCH SERVICES HAVE BEEN FOUND TO BE VERY EFFECTIVE IN PREVENTING THE NEED FOR OUT OF HOME PLACEMENT AND IN REDUCING THE RISK OF ABUSE OR NEGLECT TO CHILDREN.

-- Preventive Service Demonstration Grants. In FY 1985 and 1986, HDS funded preventive service demonstration grants to New Mexico, Illinois, Minnesota, Delaware and Puerto Rico. These grants identify children at risk of removal from their homes and provide services to enable their families to provide acceptable protection and care.

-- Prevention of Abuse and Neglect Among Teenage Parents. In FY 1986, 29 demonstration projects were funded to replicate successful models for helping teenage parents in low income communities and inner city neighborhoods become more effective in their parenting roles. Projects ensure that they and their children receive

NEEDED MEDICAL AND SOCIAL SERVICES AND THAT THE DEVELOPMENTAL NEEDS OF THE CHILDREN ARE MET. IN ADDITION, THESE PROJECTS ARE RESPONSIBLE FOR DEVELOPING PREVENTION AND SERVICES PROGRAMS AND METHODS TO DISSEMINATE CHILD ABUSE AND NEGLECT PREVENTION MATERIALS THROUGH STATEWIDE AND LARGE METROPOLITAN HEALTH AGENCIES. WE PLAN TO FUND ADDITIONAL PROJECTS THIS FISCAL YEAR.

-- Model Intervention Approaches for Prevention of Neglect

SINCE NEGLECT CASES REPRESENT THE HIGHEST PERCENTAGE OF INCIDENTS OF CHILD ABUSE AND NEGLECT, WE FUNDED FIFTEEN PROJECTS IN FY 1985 AND FY 1986 TO TEST MODEL INTERVENTION APPROACHES FOR PREVENTING CHILD NEGLECT. WE ALSO ANTICIPATE FUNDING ADDITIONAL DEMONSTRATION PROJECTS IN FY 1987 TO TEST EFFECTIVE SUPPORT SYSTEMS FOR FAMILIES WHO CHRONICALLY NEGLECT THEIR CHILDREN.

o Improving Child Protective Services

With the large number of cases being reported, agencies are confronted with the high expectations of the public, increased demand for services, and the increasing complexity of child protection issues. We have initiated several activities to improve the State Child Protective Services system. For example:

-- Alternative Treatment Approaches

In FY 1986, we funded 17 projects addressing alternative treatment approaches to casework counselling, including paraprofessionals, home visitors, and a variety of other community based services. In addition, we put a special emphasis on high risk or medically fragile infants and young children, believing that they were at special risk of abuse or neglect.

-- Chronically Neglecting Parents

This year, we will be funding a number of projects to develop cost-effective compensating support systems for chronically neglecting and dependent families, using resources such as volunteers, parent aides and home visitors, to help the family identify and sustain the kinds of services and resources needed to keep the family intact while dependent children are in the home.

-- Child Sexual Abuse

With the recent rise in reports of child sexual abuse cases, we have focused several million dollars on prevention in this area. Child sexual abuse curricula, appropriate for preschool, elementary and high school students, are nearing completion. In addition, we have supported the development of public awareness materials and 17 demonstration projects around the country which train school personnel and students of all ages and their parents in child sexual abuse awareness and prevention.

-- Coordinated Child Protective Service System

Because of the complexity of out of home abuse cases and child sexual abuse cases, we have awarded 13 grants to States and communities to develop a coordinated response which involves the State Child Protective Services agencies, law enforcement, and mental health personnel and the judicial system. Through these grants and through a number of other multidisciplinary service and training projects, States and communities are expanding and integrating services to involve all the needed agencies in a system which offers the opportunity for improved community response to needs of children.

-- Publications

-- In January 1985, the Department issued the Model Child Care Standards Act: Guidance to States to Prevent Child Abuse in Day Care Facilities in order to assist States in developing standards and procedures to prevent child abuse in day care settings.

-- ALSO IN 1985, ACYF RELEASED A PUBLICATION "RECRUITMENT AND SELECTION OF STAFF: A GUIDE FOR MANAGERS OF PRESCHOOL AND CHILD CARE PROGRAMS" TO HELP CHILD CARE PROGRAMS SCREEN EMPLOYEES AND MAINTAIN HEALTHY, SAFE ENVIRONMENTS FOR CHILDREN.

-- A BROCHURE, CHILD SEXUAL ABUSE PREVENTION: TIPS TO PARENTS, DEVELOPED BY THE NATIONAL CENTER ON CHILD ABUSE AND NEGLECT TO ALERT PARENTS ABOUT HOW THEY CAN FURTHER PROTECT CHILDREN, CONTINUES TO BE WIDELY DISSEMINATED.

-- USE OF VOLUNTEERS - COURT APPOINTED SPECIAL ADVOCATES

ANOTHER AREA OF MAJOR EMPHASIS HAS BEEN INCREASING THE INVOLVEMENT OF VOLUNTEERS IN CHILD ABUSE PREVENTION AND INTERVENTION. WE HAVE SUPPORTED THE ESTABLISHMENT OF 35 COURT APPOINTED SPECIAL ADVOCACY (CASA) PROGRAMS AROUND THE COUNTRY IN THE PAST 2 YEARS. CASAs ADVOCATE FOR ABUSED AND NEGLECTED CHILDREN INVOLVED IN COURT ACTION. OTHER VOLUNTEERS HAVE SERVED AS PARENT AIDES OR PROVIDED RESPITE CARE.

-- Identification of Risk

We have also funded projects to develop better instruments to identify risk. Building on a project with the American Bar Association (ABA) and the National Legal Resource Center which examined how decisions were made in child intake and investigation, we are now funding the ABA to field test a risk assessment instrument which can be used by individuals making decisions about the degree to which children are at risk.

o Supporting Training and Professional Development for the Workforce Involved in Child Protection

While the public's expectations of those charged with providing protective services are very high, the increased demand for services and the complexity of the issues involved strain the capacity of the child protective agencies. Workers are continually confronted with the difficult task of determining whether abuse has taken place, assessing the potential for further abuse or progress on treatment, and deciding whether or not to remove the child from the home or return the removed child to the family. To deal effectively with these issues

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REQUIRES A MULTIDISCIPLINARY RESPONSE INVOLVING SOCIAL WORK, PEDIATRICS, LAW, PSYCHOLOGY, PSYCHIATRY, NURSING, EDUCATION, PUBLIC HEALTH AND OTHER DISCIPLINES. DESPITE THE INCREASED COMPLEXITY OF THE SERVICE ISSUES, FEW WORKERS ENTER THE FIELD WITH THE PROFESSIONAL TRAINING OR PREPARATION REQUIRED FOR THIS COMPLEX AND DEMANDING JOB. TRAINING PROGRAMS HAVE NOT KEPT PACE WITH THE DEMAND FOR EXPERTISE AND FEW INTERDISCIPLINARY ACADEMIC PROGRAMS EXIST WHICH PROVIDE THE COMPREHENSIVE PROFESSIONAL TRAINING THAT IS NEEDED.

EXAMPLES OF HDS ACTIVITIES TO ADDRESS THESE PROBLEMS INCLUDE THE FOLLOWING:

-- Child Abuse and Neglect Interdisciplinary Training

HDS INTENDS TO FUND TEN INSTITUTIONS OF HIGHER EDUCATION TO ESTABLISH INTERDISCIPLINARY GRADUATE TRAINING PROGRAMS SPECIALIZING IN TREATMENT OF CHILD ABUSE AND NEGLECT. THESE PROGRAMS WILL ENABLE STUDENTS SKILLED IN A SINGLE DISCIPLINE TO LEARN THE CONCEPTS, TOOLS AND PERSPECTIVES OF RELATED DISCIPLINES THROUGH

INTERDISCIPLINARY COURSE WORK AND CLINICAL EXPERIENCES. TRAINING METHODS WILL CONCENTRATE ON CHILD ABUSE AND NEGLECT PREVENTION, IDENTIFICATION, DIAGNOSIS AND TREATMENT.

-- Resource Centers

INCREASED REPORTING AND HIGH RATES OF STAFF TURNOVER HAVE DIMINISHED THE CAPACITY AND EFFECTIVENESS OF THE CHILD PROTECTIVE SERVICES AGENCIES IN THE AREA OF INTERVENTION AND TREATMENT. TO ENABLE PUBLIC AND PRIVATE AGENCIES TO RESPOND MORE EFFECTIVELY, HDS HAS FUNDED TWO NATIONAL RESOURCE CENTERS ON CHILD ABUSE AND NEGLECT. THE AMERICAN HUMANE ASSOCIATION'S RESOURCE CENTER FOCUSES ON IMPROVING THE CHILD PROTECTIVE SERVICES SYSTEM THROUGH RESOURCE DEVELOPMENT, AND THE KEMPE RESOURCE CENTER FOCUSES ON CLINICAL ASPECTS OF CHILD ABUSE AND NEGLECT.

-- COORDINATION

HDS CO-SPONSORED WITH THE NATIONAL ASSOCIATION OF SOCIAL WORKERS (NASW) AN INVITATIONAL CONFERENCE IN MARCH 1986 WHICH INCLUDED DEANS OF SCHOOLS OF SOCIAL WORK, PRACTITIONERS IN CHILD WELFARE, AND ADMINISTRATORS OF PUBLIC CHILD WELFARE AGENCIES. THE PURPOSE OF THE CONFERENCE WAS TO DEVELOP A PLAN OF ACTION TO EXPAND THE NUMBER OF PROFESSIONALLY TRAINED AND QUALIFIED INDIVIDUALS WHO HAVE A COMMITMENT TO PROVIDING SERVICES IN THE PUBLIC CHILD WELFARE SECTOR. AS A RESULT, WE HAVE REVISED THE CHILD WELFARE TRAINING GRANT PROGRAM TO PROVIDE MORE OPPORTUNITIES FOR AGENCIES TO COLLABORATE WITH SCHOOLS AND PROFESSIONAL ASSOCIATIONS INVOLVED IN PUBLIC CHILD WELFARE AROUND SPECIFIC OBJECTIVES. THESE INCLUDE DEFINING COMPETENCIES NEEDED FOR CHILD WELFARE AND CHILD PROTECTIVE SERVICES PRACTICE, DEVELOPING RELEVANT CURRICULUM, AND ADDRESSING RECRUITMENT AND RETENTION PROBLEMS IN PUBLIC CHILD WELFARE AGENCIES.

IN CONCLUSION, WE ALL AGREE THAT THE PROBLEMS OF CHILD ABUSE AND NEGLECT ARE COMPLEX AND CAUSE FOR CONTINUING CONCERN. WHILE THERE HAS BEEN TREMENDOUS CHANGE IN THIS FIELD IN THE PAST DECADE AND MORE IS ON THE HORIZON, THIS IS A CRITICAL PERIOD FOR THOSE WORKING IN THE FIELD OF CHILD ABUSE AND NEGLECT ON BEHALF OF CHILDREN. WE LOOK FORWARD TO OUR CONTINUED WORK WITH STATES AND COMMUNITIES IN ADDRESSING THESE ISSUES AND IN THE PROTECTION OF OUR NATION'S CHILDREN. AND MR. CHAIRMAN, I PLEDGE EVERY EFFORT TO COMMUNICATE WITH THIS COMMITTEE AND WORK WITH THIS COMMITTEE, TO THE END THAT OUR RESPONSE AS A NATION TO THE TRAGIC INCIDENCE OF CHILD MALTREATMENT IS APPROPRIATE AND THUS EFFECTIVE.

NOW I WILL BE HAPPY TO ANSWER QUESTIONS.

Mr. OWENS. Thank you, Dr. Elder.

Does Dr. Burnley or Ms. Livingston wish to comment at this time?

[No response.]

Mr. OWENS. Before we begin the regular questions I would like for you to elaborate a little bit more on the recommendations of the Administration with respect to the reauthorization of the act. There were a number of questions which we submitted which you did not answer in your testimony, so I would like for you to take a few minutes and just tell us, what are your plans or proposals for the Family Violence Prevention and Services Act? You don't really deal with that. That's up for reauthorization also.

Ms. ELDER. The specific legislation that you want to talk about is the family violence legislation? Is that the question, sir? No?

Mr. OWENS. No. You didn't comment on the family violence—it's all part of the same piece that's up for reauthorization, and you didn't comment at all on what the plans or proposals are for the Family Violence Prevention and Services part of this.

Ms. BURNLEY. Congressman, we are not seeking funds in fiscal year 1988 for the family violence program.

Mr. OWENS. What is your position? In other words, your position is that you don't want it reauthorized?

Ms. BURNLEY. We are not proposing repeal of the bill. We are not seeking funding for the bill, though.

Mr. OWENS. Well, what do you propose to do with the program? For example, you have not spent $8.5 million——

Ms. BURNLEY. Oh. For fiscal year 1987 we will, very shortly, request applications from States for the use of the appropriated money for fiscal year 1987.

Ms. ELDER. That's right.

I'm sorry, sir, I didn't understand what your question was. Let me back up a minute, then if you have a follow-up I'll try to be responsive to that.

We're talking about the family violence piece of legislation, the State grant program for immediate shelter and related assistance. Is that the piece of legislation?

Mr. OWENS. Yes.

Ms. ELDER. OK, fine.

In 1985 there were two appropriations that came down from the Congress, in August and December 1985, which totaled $8.5 million. This money was carried into 1986. We published in the Federal Register relative to that money in March 1986, and grants were made to the States in July. We are following the same pattern for the 1987 money.

Mr. OWENS. You are following the same pattern?

Ms. ELDER. We are following the same pattern for the 1987 money.

Mr. OWENS. Dr. Burnley just stated that——

Ms. ELDER. No, sir, she talked about 1988. In 1987 we are following the very same pattern that we followed.

To back up, in other words, the money that was appropriated was appropriated in 2 different months in 1985. In August of 1985, Congress appropriated $6 million; and then in December, they appropriated $2.5 million more. That money was carried over to fiscal

year 1986, and it was spent in fiscal year 1986. The same amount was appropriated for 1987, and we are following that same pattern. In other words, we are publishing in the Federal Register; grants will again be made in the third or fourth quarter of this year for that money.

Mr. OWENS. You will publish what your priorities are?

Ms. ELDER. These are State grants. It's a State grant program, so we just publish in the Federal Register; then the States submit applications, and we send the money out the door.

Mr. OWENS. When do you expect to do this?

Ms. ELDER. Before the end of the fiscal year. We're hopeful we'll get it done in the third quarter, but definitely by the fourth quarter. We publish in the spring and we give the States an opportunity to respond for that money, to give us an application, and then we turn it around and get them the money. And that will happen in a timely fashion. It's the same process that we followed before.

Mr. OWENS. All right. The next question is the fact that the Administration placed zero in the budget for 1988. We are not to take that to mean that you are recommending that the act be repealed? You just don't want to fund it in 1988, is that what you're saying?

Ms. BURNLEY. Yes, sir.

Mr. HAWKINS. Can you give us an explanation why you have a shortage of applications? Do you anticipate that none will be made, and that 1988 will not see any applications?

I don't quite understand the explanation as to why the delay is—is it the States——

Ms. ELDER. There isn't a delay, sir.

Mr. HAWKINS. Well, is it that the States—there must be something wrong if you're not advocating any appropriation for 1988.

Ms. ELDER. That came up in our budget package.

Mr. HAWKINS. I mean, can you explain—there may be a good explanation. I just don't quite understand how it is, suddenly, that there is no anticipation of any requests being made that would be included in fiscal year 1988.

Ms. ELDER. Because this piece of legislation is in our budget package for 1988, and it's being viewed as a rescission item.

Mr. HAWKINS. Well, if it's a rescission, that's even worse. You view it as making a rescission for 1988, is that the answer?

Ms. ELDER. Yes, that's the answer.

Mr. HAWKINS. And why is it that you're asking for the rescission—to go back to my original question, is it that the States are not using the program or that you do not anticipate sufficient applications being made?

I hope you understand the question. I don't understand the answer and I'm just simply trying to get an explanation. It seems that suddenly the program is dying out to the extent that you do not anticipate any applications, you do not have any pending——

Ms. BURNLEY. Sir——

Mr. HAWKINS [continuing]. And that you anticipate that no money will be needed.

Ms. BURNLEY. As you know, this is a program which has been around for a couple of years. It is a categorical program. We are taking steps this year to implement those funds which were appropriated for fiscal year 1987. Very soon we will publish an an-

nouncement inviting States to submit applications for the use of those funds, consistent with the requirements of the law. Those grants will be made within a short time of the receipt of those applications.

Our budget request for fiscal year 1988 does not include the request for any funds for this program. That budget request is not based upon our expectation that we will not receive applications. That budget request, I believe, is based upon two philosophical beliefs on our part, and that is, one, fiscal considerations, that this is a small categorical program, and with the deficit problem being what it is, that is the primary rationale behind it. And in addition, it is a small categorical program and there are a variety of other social service programs, including the block grant program, which could be used by States to address these problems.

Mr. HAWKINS. Mr. Chairman, if I may follow up, it's getting worse all the time.

You say that you oppose it on the basis of philosophical considerations. I never understood how child abuse or family violence could be out of philosophical consideration. Do you have any specific reasons to think that this program should be diminished, in spite of the record that the problems are escalating and yet, at the same time that this is happening, you are telling us that you're going to ask for a rescission based on philosophical considerations and the budget situation?

I can't understand how that could be a matter of budget consideration, that you're going to wait two or three years to help the budget out until you get a balanced budget to do something specifically about a State requesting monies to handle the problem.

Ms. ELDER. I understand your concern.

Mr. HAWKINS. You're not the Office of Management and Budget. You're supposed to be taking care of children and families. Leave to us the problem of where the money is going to come from. That's our problem. We can only depend on you to tell us what is needed. Maybe we can't get the money that you may think is needed, but to say that the problem is diminishing or that some other program, a block grant, is going to take care of everybody, depending on the same pool of money—and I'm quite sure that someone is going before another committee requesting an urgent amount for some other thing, and this issue will then be neglected.

Do you understand, Mr. Chairman?

Mr. OWENS. The other question is, aside from the budget considerations, do you have a position? You've said you don't want to repeal the act, which means you don't want to take a position on whether or not it's needed for the future, whether it should be reauthorized.

Ms. BURNLEY. That is right.

Mr. OWENS. When you say you don't want to repeal it, does that mean you support the reauthorization? Let me put it that way.

Ms. BURNLEY. The administration's budget request does not request funds for this particular program.

Mr. OWENS. That's clear. But is the administration also saying that it does not want to reauthorize the act?

Ms. BURNLEY. No, sir.

Mr. OWENS. You're not saying that?

Ms. BURNLEY. No, sir.

Mr. OWENS. You're not saying you want to repeal it?

Ms. BURNLEY. No, sir.

Mr. OWENS. You're not saying that it's not needed?

Ms. ELDER. That's correct.

Mr. OWENS. You're just taking no position? Is that correct? The issue at this point is that you have no position.

Ms. BURNLEY. What we are saying is that there are other funds which States can elect to address the problem of family violence.

Mr. OWENS. Oh, is that what you're saying? Will you elaborate on that?

Ms. LIVINGSTON. Well, she already did, sir, in that the States receive the block funding, that would be one source. There are some aspects of family violence, of course, that we can deal with through our child abuse program.

Mr. OWENS. But your position is that you don't need the Family Violence Prevention and Services Act? The provisions of that program are not needed is what you're saying?

Ms. LIVINGSTON. We are not asking for funding for it in fiscal year 1988. There is no denial on our part that there's a problem, and your concern is shared by us. But, you know, I understand what you're saying, Congressman Hawkins, about the funding and about your position on the Congress coming up with the money, but still at the Department we have to be mindful of what kind of a budget we have to work within, and you have to cut somewhere. So this is an area that we think we can cover in other ways.

Mr. HAWKINS. Mr. Chairman, if I may?

We're not asking you to tell us that there is a budget problem or that we should be mindful of it. That's not really the substance of the question.

The question is, is there a problem to be reached? And was the law which was passed by the Congress ill-advised in setting up the program? If so, we should repeal it. It isn't going to be funded, but we should have some justification for doing so.

Now, you're saying that you don't take a position on whether or not the law itself is defective or should be repealed or not, but you're simply not requesting any funding for it, and that it's going to be done some other way, through some other program. We have no evidence that, with the other program that you're referring to, the problem is going to be taken care of. And without being specific about it, just simply pushing it out there to be "taken care of" in some way that is not really evident to us, at least listening to this—who is going to take care of the problem. You dealt in several pages, I think, with volunteer efforts and foundations and all of these groups that have no legal responsibility for doing it but are doing it on a humanitarian basis, which is excellent, but this may not be enough. The problem is certainly accelerating; and if, at the same time that it's accelerating, we're going to take the position that because of budget considerations the problem is going to be solved—if everyone took that position, then we wouldn't do anything on any problem.

I don't know. I just don't understand the laxity. I had read the statements of Mr. Ted Weiss, chairman of the Human Resources and Intergovernmental Relations Subcommittee of a standing com-

mittee of the House, and it would seem to me that some of the accusations and the allegations perhaps have weight, and that this Department has not been as vigilant as it might have been.

For example, they charge that in some instances in the Child Abuse Amendments of 1984, that 2½ years after the law was signed, without any explanation, HDS delayed the changes which were mandated in the law itself. That's 2½ years of delay. Now, if you keep delaying it and if you keep presenting these negative requests for action, then you get down to the point where rescissions are justified because nothing is happening. Before we recognize what is happening, then the act itself will be just a dead letter situation.

I don't know how you're going to solve any of these problems if we're going to act in that way. I'm really shocked. If you don't tell us what we should do, then who is going to tell us what we should do. Let us worry about the budget considerations, but at least you ought to say, look, this act has been objective. If you're going to administer the act effectively, as perhaps you're doing—and then, we think that it should be funded at a particular level, or should be continued at its current service level, if anything, and that we expect you to then respond as to whether or not the Federal Government can afford the act itself. If it can't, then I guess we should give up and say we're not going to do anything about the problem; let somebody else do something.

What else would you expect us to do?

Ms. ELDER. I think it would be helpful if we talked a little bit in reference to your statement from the other committee report about the Child Abuse Act and focused a bit on some things that we have been able to accomplish, and particularly around the area of "Baby Doe" and talk a little bit about——

Mr. HAWKINS. Well, was it true? I don't doubt some of the things you've indicated, or maybe all of the things you've indicated you're doing, and you're to be commended on that. However, it's been charged in some instances that you didn't do certain things, and I think that should be cleared up. If you are guilty of delaying and neglecting to do certain things, then I think we should advise Mr. Weiss—who used to be a member of this committee, actually—that he should perhaps review what he has said. Is the Inspector General wrong when the Inspector General himself made certain findings that the law was being violated? Is the GAO wrong in its report? You indicated that they were wrong. If so, can you submit to this subcommittee the specific replies to those allegations?

Ms. ELDER. Of course, we would be glad to do that.

Mr. HAWKINS. But it seems to give credence to what they have alleged when you tell us that you don't need any money to continue funding these programs. That might explain why you have delayed these.

Ms. ELDER. Mr. Hawkins, what I heard you making reference to was one program in a list of many that focus on child abuse issues. And in particular, you talked about the family violence piece, which is an $8.5 million program. We also, very much like other folks, would like to talk about some things that we're for, and we would be delighted to do that.

Mr. HAWKINS. You're not for that program?

Ms. ELDER. I'm saying that overall, in terms of this Administration's budget, when we put a budget together, all of us are asked to look at the highest priorities and to try to figure out the best strategies, whether it is the Department of Health and Human Services or the Department of Education or Energy or Justice or any other Department. And we look at what we can best do to facilitate our mandate in the executive branch. We sent forward legislative proposals and budget proposals for 1988. And in so doing, when we looked at the family violence piece, we are requesting that we not reauthorize, and therefore we are suggesting that there are other funds available to meet this need. We are not saying that in fact the State grant program has not been helpful; it has. But there are a lot of things that have been helpful, there are a lot of needs that need to be addressed. We have been working very hard in HD to address many of the most serious issues in terms of these various vulnerable populations and to focus on how we can do the best with what we have.

Mr. HAWKINS. Well, I don't think you're doing enough, that's all. And if you decide that the family violence piece, for example, shouldn't be funded despite the fact that Congress in its wisdom said that it should, and then administratively you say no, you're going to pick and choose, I don't see that.

Ms. ELDER. Well, I'll try to say again what I said. But basically what we are trying to say in both my response and Dodie's response and in Jane's response is that we all collectively feel that there truly is a need to address the family violence issue, and we feel the same type of commitment that you feel. We are just taking a different approach in terms of addressing it.

Now, within the executive branch, the administration has really taken the position that this categorical program should not be funded in 1988. How did we get there? We said that funds are available to States from other programs and other sources; for example, from the SSBG grants. It is a small categorical program. And again, as I said before, we have no disagreement with you on the need to address the family violence issue. We do disagree with you on how to address the issue.

Mr. HAWKINS. Do you think it's being addressed adequately by these other sources that you vaguely refer to?

Ms. ELDER. The Social Service Block Grants, SSBG, do I think that some of that money is being used——

Mr. HAWKINS. Is it being addressed under that program——

Ms. ELDER. Yes.

Mr. HAWKINS [continuing]. Do you think, adequately?

Ms. ELDER. Adequately?

Mr. HAWKINS. Yes.

Ms. ELDER. I'm not sure, sir, if it's addressed adequately. Is it being addressed in some areas? Yes.

Mr. HAWKINS. It theoretically can be addressed, but is it practically being addressed sufficiently, in your opinion?

Ms. ELDER. In my opinion, SSBG money is being used in some States to adequately address this issue. I cannot speak for all States. In some States, yes. And that is not to say in any way that this program, in terms of the State grant program, the family violence program, has not made an impact. It has. And we are not

saying that we do not feel that this is an important issue; we do feel it is an important issue, but we are sharing with you that we disagree in terms of the strategy to address the issue. And that is reflected in our legislative proposals and our budget proposals for 1988.

Mr. HAWKINS. Well, we just disagree, I guess, philosophically.

Ms. ELDER. Yes, sir.

Mr. OWENS. Well, at least we now have a clear statement of your position. You've just said that you're not recommending reauthorization for the Family Violence Prevention and Services Act.

Ms. ELDER. That's correct.

Mr. OWENS. You were not saying that before. Your position was not clear. You are clearly saying that you're not recommending reauthorization?

Ms. ELDER. That is correct, sir. And that was clearly stated in the budget document that came up to the Hill.

Mr. OWENS. Well, the budget document just says that you don't want it funded for 1988. But I asked you specifically, are you recommending that it not be reauthorized? And I couldn't get an answer before——

Ms. ELDER. The answer is yes.

Mr. OWENS [continuing]. And now you're saying, you're recommending that it not be reauthorized. That's a clear position.

Ms. ELDER. Yes.

Mr. OWENS. We can agree to disagree, but at least we know your position now.

Ms. ELDER. Yes, you do.

Mr. OWENS. Thank you very much.

We're going to have to recess for about 10 minutes to take a vote, and then we'll continue.

[Recess.]

Mr. OWENS. The hearing will resume.

Dr. Elder, could you just help us by reviewing the chronology of what has happened with the Child Abuse Prevention and Treatment Act and the Family Violence Prevention and Services Act in terms of the—you've asked for rescissions in some cases. Let's go back to when the act was first passed. Since the act was first passed, can you give us a chronology of the passage and——

Ms. ELDER. OK. Shall we do family violence first so that we clarify that? Is that what you're asking?

Mr. OWENS. That's all right. Good, family violence.

Ms. ELDER. OK. Well, let me go back and do fiscal year 1986 and fiscal year 1987 and get up to 1988, which is not yet, but for which we have a budget document around.

Family violence, Public Law 98-457, section 310. In fiscal year 1986, $8.393 million was appropriated, and it was appropriated in two different waves. An announcement was published in the Federal Register in March 1986, and all of the award moneys were made to the States by the end of the fourth quarter.

Mr. OWENS. By September 1986?

Ms. ELDER. Yes, before the year ran out, before the last day of September, right.

We published on March 10, 1986, to be specific, OK?

Mr. OWENS. And by the end of that fiscal year you had distributed all the funds?

Ms. ELDER. That's correct, sir.

And then for our fiscal year, 1987, again coming across the line on family violence, we had $8.5 million. That money was appropriated on 10/86, and we are presently in clearance with our announcement. We are in clearance in terms of getting that thing to the Federal Register. It is written, I have signed it, and it is marching around going through clearance. And we're looking forward, again, to having the awards out in the fourth quarter of this year.

Mr. OWENS. The announcement—you project that it will be out by when?

Ms. ELDER. Well, this is what—the 23d day of April. I hope that by the 15th of May it will published.

Mr. OWENS. Well, does that require a comment period; Or that's just——

Ms. ELDER. No, that's just clearance in our Department, over to OMB, back to our Department, then we run it over to the building where we publish the Federal Register. I mean, it's physically just moving this document around. And because we had done it once, it's easier to do it the second time. So we've gone through that announcement once before.

Mr. OWENS. This is for the $8.5 million in the current fiscal year?

Ms. ELDER. That's correct, sir. That's family violence.

Now——

Mr. OWENS. All right. Fiscal year 1988, you are requesting zero, and also requesting no reauthorization of the bill?

Ms. ELDER. We are requesting that the bill not be reauthorized in 1988. That is correct.

Mr. OWENS. All right. For the Child Abuse Prevention and Treatment Act?

Ms. ELDER. All right. The child abuse basic State grant program—do you want us to go through the 1986 year and the 1987 year and up through 1988 in terms of our new legislation? Would that be helpful?

Mr. OWENS. Could you start at the very beginning of the act?

Ms. ELDER. I don't think so, but I am going to have Jane——

Mr. OWENS. There's some question about the trust fund. When did that begin?

Ms. ELDER. Oh, that's the Challenge Grant section. That's not the child abuse basic State grant program.

Mr. OWENS. Did they start at the same time?

Ms. ELDER. No. No, no, no. Child abuse started in 1974, and the child abuse Challenge Grants started in 1985.

Mr. OWENS. OK. We'll take that separately.

Ms. ELDER. OK. What I have in front of me, Mr. Owens, is a long sheet of all the various bills that deal with child abuse, family violence, dependent care, all of that together because there are so many pieces of it, and I try to do this to help myself and my staff know when the money was appropriated, when we published the announcement in the Federal Register, and when the award was made. And we do this year by year by year. It's just like a PERT chart.

Mr. OWENS. Would you like to submit that for the record and save some time here for further questions?

Ms. ELDER. I would be delighted to do that.

Mr. OWENS. Well, we would be delighted to receive it. Without objection, we will have it included as part of the record.

Ms. ELDER. OK.

Mr. OWENS. Then we can go on to a few other questions.

In your testimony, you said that a major instrument that you use is the Advisory Board for NCCAN. Am I correct?

Ms. ELDER. Yes.

Mr. OWENS. Can you tell us a little bit more about that? How many times has the advisory board met?

Ms. ELDER. Jane, do you want to take that question?

Ms. BURNLEY. Over what time period, sir?

Mr. OWENS. Since its inception.

Ms. BURNLEY. I don't think I can give you a total figure since its inception. It has typically met, though—I'm familiar, in the last 6 years, that it has met either one, two or three times each year.

Mr. OWENS. One, two or three times each year?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. That was the pattern?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. When was the last meeting?

Ms. BURNLEY. The last meeting was in June 1986.

Mr. OWENS. June 1986?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. So they intend to meet two or three times this year?

Ms. BURNLEY. We have a meeting planned—I believe it's in about two months—this year, and——

Mr. OWENS. That means June of 1987?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. That means one time per year?

Ms. BURNLEY. Well, we——

Mr. OWENS. In a 12-month period you will have met once?

Ms. BURNLEY. Yes, sir. That is right, in this most recent 12-month period. It had met—the meeting preceding the June, 1986 meeting was in November 1985. It was meeting at about--well, those meetings were 6 months in between.

Mr. OWENS. So not three or four times a year. At most, they've met twice a year?

Ms. BURNLEY. The most it has ever met is three times a year, as I understand its history.

Mr. OWENS. I don't hear three times a year at all. I hear at the most, twice.

Ms. BURNLEY. You said from the beginning.

Mr. OWENS. Oh, from the beginning it might have met——

Ms. BURNLEY. I said the most it has met in its history is three times a year.

Mr. OWENS. But since you've been there?

Ms. BURNLEY. It has met one, two, or three times a year.

Mr. OWENS. Once a year?

Ms. BURNLEY. I believe in 1984, it met either two or three times, sir, I'm not sure. In 1985 it met in the spring and it met in the winter. In 1986, it met in June, and we have plans for it to meet

early this summer. We are not certain if we will have a second meeting in this fiscal year, or if it will be early in the next fiscal year. It will either be this fall, either in September, or later on in October. That date is not yet set.

Mr. OWENS. Can you elaborate on your statement that it is a major instrument? In what ways is it a major instrument?

Ms. BURNLEY. It has two major means by which it is a significant instrument. Number one, it provides us with a formal mechanism for convening a variety of departments which have programs which are either primarily related to child abuse and neglect, or tangentially related to child abuse and neglect. It gives us an opportunity for information sharing among programs. We share the development of our priorities, and as we are working on various matters in child abuse we share them with this Advisory Board. It provides us with input into those matters as we're developing them.

But I think the idea of these Federal agencies coming together for the purpose—it gives them an opportunity to talk about what they're doing, and I think by being better informed about what's going on in the myriad departments that we have here in the executive branch, that planning is more effective in all of the departments as we look at the area of child abuse.

This last year we took steps to expand the Board in terms of its Federal involvement so that—since one of the subcommittees of the Advisory Board was to look at the problem of child abuse and neglect among Indians on Indian reservations, we asked the Indian Health Service to appoint someone to participate in the Board, and in addition a representative from the Bureau of Indian Affairs. There has, as I said, been an active subcommittee on that particular issue which produced recommendations for the Advisory Board which will be a part of the upcoming agenda.

In addition, we have at present 12 non-Federal participants who have come from a variety of backgrounds, some from the private sector. For example, the president of the Toy Manufacturers of America, which is an organization which has targeted child abuse and neglect for major philanthropic contributions; right now they provide support for Parents Anonymous, and we're very pleased with that. We have other private sector members who provide us with some private sector information. In addition, we have the president of the National Committee for Prevention of Child Abuse, Dr. Rick Green, and a variety of others, both professionals, advocates and others, are represented from the private sector. And their input we also find extremely valuable.

Mr. OWENS. So it is part of their duty or function to produce recommendations. You said some committee was making recommendations. Are they producing any recommendations with respect to the positions that you're taking today?

Ms. BURNLEY. They have commented during my two and a half years at the Childrens Bureau. They have commented on our research and demonstration priorities. They have been aware of various initiatives that we have had in mind, and as they are in developmental stages have commented upon them.

Mr. OWENS. What is the difference between a comment and a recommendation?

Ms. BURNLEY. I don't believe that they have produced formal recommendations as a group with regard to most of our ongoing activities. Last year, for example, when we were developing priorities——

Mr. OWENS. Does the law specify that they should provide recommendations, non-binding recommendations?

Ms. BURNLEY. I believe that the law says an Advisory Board will be established to advise the Secretary. I don't believe that it states that there would be formal recommendations, but we do use them in an advisory capacity.

They have had other activities. They convened hearings at the 1985 Child Abuse and Neglect Conference in November, solicited comments from a wide range of persons, advocates, service providers, and constituents. They took those recommendations and they have been a part of discussions that have influenced the National Center.

In addition, they had an activity in which they were very concerned about the proliferation of publications which are coming out—some of which are better than others—for parents and consumer groups, and they reviewed hundreds of publications. I have with me today a report which was issued by them on publications on child abuse and neglect which they think meet a sort of a "Good Housekeeping Seal of Approval" and can be very useful for parents in prevention and in intervention. These are publications which are mostly of help to the lay community.

This particular bibliography, which has hundreds of publications on it, was sent to—I believe it's 20,000 libraries in April, 1985 as part of Child Abuse Prevention Month.

Mr. OWENS. That was published by the Advisory Board or by your agency?

Ms. BURNLEY. All of the staff support for the Advisory Board is provided by our agency, and this publication, as I said, was sent out to libraries so that it could be widely used. We thought that was one of the most effective ways——

Mr. OWENS. We requested the minutes of the meetings of the Advisory Board. Is that a request that can't be met?

Ms. BURNLEY. No, sir. We can provide those.

Ms. ELDER. We have them.

Mr. OWENS. You have the minutes?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. Thank you. We appreciate it.

[The material referred to follows:]

MINUTES

ADVISORY BOARD ON CHILD ABUSE AND NEGLECT

November 13-14, 1985

Chicago, Illinois

NCCAN Activities

Dorcas R. Hardy, Assistant Secretary for Human Development Services, Department of Health and Human Services, presided on November 13. She began the meeting by reviewing the 1985 grant activities of the National Center on Child Abuse and Neglect (NCCAN). In the 1985 budget, $9 million were allocated for the basic State grants; $3 million for "Baby Doe" State grants. Only Pennsylvania and Indiana do not qualify for the State grant. Funds have been allocated and released for the State grants and discretionary grants. More than $3 million were expended in discretionary grants related to child sexual abuse. The Board will receive a list of the grantees.

Jane N. Burnley, Associate Commissioner, Children's Bureau, reviewed the decisions on applications from the FY 85 Supplementary Announcement. Some applications were funded with 1985 monies; some applications were rejected; others were reviewed favorably and informed they would be funded when 1986 money became available. Decisions on a few others were deferred for consideration in FY86. These latter applicants were encouraged to apply to other funding sources. In order to be eligible for FY86 State grants, States must have Baby Doe regulations in place by October 9, 1986, and must submit documentation to that effect when they submit State grant application materials in mid FY 86.

Over the last several years, the number of regional resource centers had been reduced from 30 to 10. Federal funding for these Centers ended in FY85. HDS has proposed that these centers be funded by other sources. Congress, however, has urged that the resource centers be retained, so HDS decided to establish national, rather than regional, centers of excellence on various child welfare topics. Grants have now been awarded for 6 of 9 resource centers: Family-Based Preventive Services (University of Iowa); Special Needs Adoption (Spaulding of Michigan); Management and Administration (University of Southern Maine); Foster and Residential Care (Child Welfare Institute); Youth Services (University of Oklahoma); and Legal Issues (American Bar Association). Applications for three other centers--Developmentally Disabled Children, Child Abuse, and Child Sexual Abuse--were considered inadequate and nonresponsive. A new announcement soliciting applications appeared in the Federal Register on November 5. Board members may be asked to serve on panels to review these applications.

Conference Overview

Penelope Kendall, non-federal member, led the discussion of the Seventh National Conference on Child Abuse and Neglect, including the hearings sponsored by the non-federal members.

Public Hearings

Several key issues were raised in the hearings, including;

- Stronger coordination of, and accountability for, service delivery, with one designated agency taking the lead.
- The need for reform and education in all areas to make grassroots participation effective.

- A call for systemic legal reform, including more home-based services; removal of the offender, rather than the child, from the home; outlines of what CPS can and should do; case screening guidelines; and extended immunity to reporters.

- Consideration for the power of the media.

- Sensitization of the court system, especially judges and prosecutors, to the need for protection of child witnesses. In some cases, the court system further victimizes the victims, for instance, by holding testimony about child abuse syndrome as inadmissible. However, current cases are setting useful precedents. More professional collaboration and networking between social services and the courts are needed.

The Board agreed that the witnesses should be thanked for their contributions; Penelope Kendall will write the letters of thanks. Juanita Evans, Office of Maternal and Child Health, suggested that common themes in the testimony should suggest criteria for future funding awards to NCCAN. It was also pointed out that Federal agencies other than HDS may already have programs in some of these areas, and that representatives from these agencies might be the most appropriate persons to follow up on recommendations. It would be useful to the Board to receive information on these various programs. It was also suggested that representatives from the Federal agencies attend the hearings as well as follow-up on recommendations, and that witnesses be informed of any actions that resulted from their recommendations. Overall, the Board found the public hearings useful, and believed they should be repeated, with participation solicited in a separate letter, rather than as part of the program announcement, which many persons apparently found confusing. Possibly, an announcement of a day for public hearings should be sent out, and invitations also sent to such groups as the National Association of Social Workers and other state and national groups. Testimony should be submitted in advance. Topics for the conference agenda may also emerge from this process.

The Board members considered whether they should hear testimony before the next national conference; it was suggested that regional hearings might be held. Penelope Kendall will continue to head a subcomittee on hearings, which will submit suggestions for format and content of the next hearing within 6 to 8 months. The other subcommittee members are Edward Coll and Judy Morse. Public hearings should be a topic at a plenary session of the National Conference.

Conference Structure

Nahman Greenberg, M.D., questioned the role of the National Committee for Prevention of Child Abuse (NCPCA) in the Seventh National Conference, and expressed concern that National Conference and National Committee activities were not distinguishable. Other Board members pointed out that a planning group representing many organizations and individuals had identified topics and speakers, and that broad participation had been solicited. The planning committee had asked for input, and its recommendations went to Nancy Peterson of the National Committee.

There was some discussion of how the results of the conference would be disseminated. Jane Burnley said that conference planning funds provided to the National Committee were part of a larger grant that had a dissemination component, and that proceedings of key papers might be sent out. An evaluation of the conference from the Federal perspective will be shared with the Board. The Board's recommendations for the location of the next conference are welcomed.

Surgeon General's Workshop on Violence

Dr. Greenberg reported on the Surgeon's Workshop on Violence, held October 27-29, 1985. For the first time, the Surgeon General focused attention on family violence as a public health issue; it was pointed out that family violence is among the top 10 causes of death in the United States. The workshop included presentation by speakers and parallel working groups that addressed prevention and treatment issues in each of the following areas: of assault/homicide; child sexual abuse; elder abuse; rape/sexual assault; and spouse abuse. Copies of the presentation and the recommendations of the working groups will be distributed to the Board. The workshop participants emphasized the importance of controlling "Saturday night specials" and called for education and training, research on treatment modalities and outcome, improved organization and coordination of services, and a long-term follow up of treatment. The Surgeon General has discussed the issue of family violence with legislators.

Dr. Greenberg suggested that the Board become more familiar with the Family Violence Act and study the parallels between it and the child abuse legislation. He pointed out that the profession needs a public health model, rather than one strictly focused on CPS, with emphasis on health rather than on legal issues. Juanita Evans said that the Public Health Service (PHS) is addressing this topic, and that she will distribute published proceedings of the PHS deliberations. David Hubbell, branch chief, and the National Institute for Child Health and Human Development will follow up on this.

Rosemary Pennuto asked whether the purview of the Advisory Board should be expanded to include family violence, or should form a subcommittee to interface with others in this field. It was suggested that the 1987 National Conference address the relationships between family violence and child abuse. Currently, there are no interagency agreements to study these relationships; Juanita Evans offered to work with Helen Howerton to study possible interagency agreements on demonstration projects with a public health focus.

Publications Review

Felis Domingues, who chaired the subcommittee on publications review, distributed drafts of a resource document and of a list of nonrecommended items, and described the process used to arrive at the listing. First, 25 persons from the Albuquerque area conducted a "community review" of some 150 publications available from the Clearinghouse on Child Abuse and Neglect Information (CCANI). The reviewers considered each publication's content, language, and illustrations. Thereafter, the committee members of the Advisory Board reviewed each publication for the same criteria, with each item receiving two additional reviews; thus, each publication was reviewed by three persons.

In the assessment of review results, inclusion on the list of recommended publications was determined by a unanimous vote or by majority; in cases where there was strong disagreement with the majority view, additional reviews were sought. The criteria used to determine inclusion were outlined: inappropriateness for the intended audience or lack of

constructive suggestions for dealing with a problem disqualified an item from the list. Publications that contained a strong bias, such as a particular religious viewpoint, were included if the child abuse and neglect information was accurate; however, the annotation for the entry acknowledges the slant of the publication.

Ms. Domingues and other subcommittee members emphasized that their purpose was not censorship: all publications, whether recommended or not, will continue to be available through CCANI. The final list will contain the information that "these and other publications are available from the Clearinghouse." It was suggested that the list also include a description of how the decisions were made.

The Board discussed how the resources list should be distributed, and agreed that a larger audience than that for the FYI should receive it, including groups that were represented at the Conference. Enid Borden, Director of Public Affairs, HDS, has access to lists of these groups. Ms. Hardy asked that the list be reproduced and distributed by early 1986.

Felis Domingues will continue to chair the subcommittee. Julie Brown will conduct the next community reviews; other members are Frederick Green and Rosemary Pezzuto. The second review will probably have fewer publications than the first. It was suggested that the Clearinghouse seek more nonresearch materials for its collection and that the staff scan catalogs to identify documents that should be added to its library. The community review will be conducted in different areas, and more Advisory Board participation will be sought. Ms. Domingues asked the Board to consider

staying an extra day after its next meeting in order to conduct the review.

Indian Child Welfare Issues

A major concern is service delivery to Indian children on reservations. Services are often delivered in a piecemeal fashion, with some tribes maintaining relationships with State CPS systems and others operating independently. Indian children are known to stay longer in foster care than children from other populations. HDS wants a picture of the current system, and recommendations on how to address Indian problems more effectively. The Advisory Board formed a subcommittee, chaired by Judge Steketee, to study this issue; other members are Felis Domingues, Julie Brown, Judge Hermansen, and Juanita Evans. The committee will need members from BIA, HDS, and the Indian Health Services. Helen Howerton will appoint a representative of the military services to this committee; a report is expected at the next Board meeting. Recommendations will be made to the Bureau of the Indian Affairs (BIA), HDS, and the Indian Health Service. To conduct work, the committee will need to contact representatives of the Indian community.

Indian reservations are not eligible for Child Abuse and Neglect State grants, although they can apply for discretionary grants for demonstration projects. A Joint Discretionary Announcement, published by HDS's Administration for Children, Youth and Families and Administration for Native Americans and Interior's BIA, was sent only to tribes. Grants totaling approximately $2 million were funded in child welfare and child abuse and neglect. Major child welfare concerns of Native Americans today

include services related to child abuse and neglect, and services to prevent out-of-home placements. Unfortunately, applications from Indian tribes often do not fare well in a national competition. HDS is attempting to address the need to make these applications more competitive.

National Incidence Study of Child Abuse and Neglect

Westat Inc., a research firm in Rockville, Maryland, will conduct the congressionally mandated National Study of the Incidence and Prevalence of Child Abuse and Neglect. Incidence, for this study, does not mean reports; data collection will address suspected cases as well as those that were actually reported to CPS. The survey will be conducted in 29 counties (3 more than the previous incidence study), and a telephone survey of the general public will be conducted in three additional cities. The survey questions have been determined and preliminary data should be available in August 1986.

Adoption-Related Issues

Dorcas Hardy noted that the Board's charter is broad, and that the opportunity for input to DHHS is large. She then reviewed adoption-related issues, since the Board may be asked to assist the Secretary of DHHS in coordinating the Federal Government's effort in this area. Congress has recently formed a bipartisan coalition to address adoption issues. There are currently 269,000 children in foster care; in 50,000 cases, parental rights have been terminated, and 35,000 to 36,000 of these children are legally available for adoption and not yet placed. The majority are special

needs children—older children, sibling groups, minorities, and disabled children. It is estimated that 75 to 80 percent of the children available for adoption are victims of abuse or neglect. The Board will receive the newsletter Adoption Notes to keep them informed of developments.

Joint Meeting With State Liaison Officers

Jane N. Burnley, Associate Commissioner, Children's Bureau, presided on November 14. Prior to the joint meeting, both the Advisory Board and the State Liaison Officers were asked to read a brief description of a fictitious case. Pat Hicks, Liaison Officer from Florida, and Sandra Hodge, Liaison Officer from Maine, then described how the case would be handled in their respective States and answered the questions given at the end of the case study. Sandra Hodge referred to the need for external controls on an abusive situation. Even when the nonabusing parent promises to protect the child, it is unlikely that the family dynamics will change. Pat Hicks stated that Florida has contracted with an expert to provide technical assistance on sexual abuse cases, and that CPS and an interdisciplinary child protection team work on cases that will go to court. Despite a large number of CPS workers, Flordia can provide protection to only a small proportion of sexual abuse victims, primarily children in cities.

In both States, reports of sexual abuse have risen dramatically: there are 6,000 reports of sexual abuse victims, with a 61 percent indication rate in Florida, and in Maine, 35 percent of all cases (up to 50 percent in some areas) involve sexual abuse. Maine's court system has a 2-year backlog of cases, but the chief judge has made child sexual abuse cases the highest

priority following cases of persons in jail awaiting trial. The waiting period is now 3 months, and judges and district attorneys are suffering from burnout on these complex and emotional cases.

Other Liaison Officers reported how their States handle sexual abuse investigations; the discussion led to an exploration of the relationships between CPS and other agencies or service providers. Some States have an adversarial relationships, with law enforcement officers believing that CPS investigations contaminate or destroy evidence that could be used in a criminal case; in other States, CPS and laws enforcement work cooperatively. Many Liaison Officers felt that mental health services hesitate to treat child abuse cases, and that, even if they do so, they often use models that are outdated and do not follow the latest research findings. While participants agreed that cross-training helps, the turnover rate (due primarily to stress) among CPS workers is so high that the benefits are lost.

A universal theme was the sharp increase in reports, which is not matched by an increase in funds to hire and train new staff. In addition, the standard social work curriculum may not prepare workers adequately for CPS work, and burnout leads many trained social workers into other areas, such as family court work. Rosemary Pezzuto suggested that the Advisory Board make a strong recommendation to the Council of Social Work Education to develop a curriculum for entry-level personnel in CPS, and Judge Steketee urged law enforcement, court personnel, and social workers to cooperate in interdisciplinary efforts.

Advisory Board Response to Joint Meeting

When the separate Advisory Board meeting resumed, Board members commented on the usefulness of the joint meeting and their new awareness of the pressures faced by CPS workers and discussed ways to assist line staff.

The U.S.A. Today article on the Gelles study, which showed a 47 percent decline in severe physical abuse in two-parent families, was considered positive for that population group. It could be misconstrued, however, to mean that the problem of child abuse is being solved, and might thus lead to decreased public support of CPS. Although NCCAN does not have an official policy for responding to such publicity, Jane Burnley suggested that NCCAN evaluate alternative responses. The public members of the Board indicated an interest in issuing a statement that the Gelles results showed only a part of the child abuse spectrum.

Rosemary Pezzuto called again for a statement on social work education, and Jane Burnley responded that education and training was one of the areas in the Federal Register announcement which are widely disseminated. Dr. Green suggested that the dissemination of the Federal Register has decreased substantially, partly due to sharp cost increase. As a result, most applicants for Federal funds are large organizations that can afford to keep abreast of the announcements, although HDS wants to fund more local projects. (Note: When the final minutes are distributed, a note will indicate the size and characteristics of the mailing of the last discretionary announcement.)

Jane Burnley summed up the discussion: the Board's interest in issuing a statement in response to and clarifying the Gelles study; a need for HDS to improve its communications with the Board (additional information will be sent following the meeting); and a commitment by the Board to promote coordination of CPS with mental health and educational systems. To achieve this latter goal, Dr. Green suggested that Board members make an effort to meet their State Liaison Officer and then do "what they can, when they can, where they are," and Judy Morse urged members to attend meetings of their local mental health association. Juanita Evans will send the regional maternal and child health social work consultant a list of the State Liaison Officers. Although the Board is not ready to choose one additional target activity, the members were unanimous in agreeing that another joint meeting with the Liaison Officer s should be held.

Ronald Burton also requested that HDS send the Board a short summary of its responsibilities and a list of three top priorities that the Board should address. Jane Burnley will see that this is done.

Private Sector Involvement

At the suggestion of Susan Davis after the last board meeting, the National conference included a workshop on how organizations can obtain corporate funding or assistance. Pat Wood pointed out that the Federal employees, including board members, cannot approach the private sector and ask for monatery contributions; legal advice may be needed to study how private funds could be solicited and where potential donors should be directed. Linkages should be established, and the emphasis should be placed on finding

support for local service programs. Perhaps the Board should develop a brochure on how to obtain private funding. Judy Morse will explore the feasibility of developing a State-by-State list of major corporations and resources. Judge Hermansen will head a subcommittee on involving the private sector; he asked the Board to give him examples of successful strategies. Dr. Greenberg asked whether the Board could have a subcommittee of non-Board members; this issue was tabled until the Board decided on the direction in which to move.

Dr. Green stated that CPS cannot rely on private sources to meet all its needs, but that it would be helpful to know what sources are available. The service programs currently being surveyed by CCANI will be listed in a directory that could be helpful. In addition, there are listings of corporate donors, as well as a consumer's guide available from the Department of Commerce's Office of Consumer Affairs. Rosemary Pezzuto will send this to the Board members.

Report to Congress and to the Secretary, DHHS

The Board charter requires an annual report to the Secretary of DHHS. The 1984 legislation mandates that NCCAN, in cooperation with the Board, report to Congress on efforts to bring about coordination of activities over the previous 2 years. The report to the Secretary is due on December 31, 1985. It will include, among other things, the names and addresses of the Board members, the dates and locations of Board meetings, and a list of federally funded child abuse and neglect projects. The report will cover activities through the November meeting. Pat Wood will prepare it.

A draft of the first report to Congress was distributed to the board in July 1985. The second report to Congress is due March 1, 1987, but Pat Wood is already collecting information on 1985 activities, so that 1985 programs will not be slighted. Participating Federal agencies will receive a revised reporting form so that they can report on their programs; they will be asked to return it by March 1, 1986.

Final Comments

Jane Burnley stated that Board subcommittee members may be invited to Washington for meetings, and reiterated that subcommittee reports are due in 6 to 8 months. Members may also be asked to review applications; for example, applications for discretionary grants are due on November 20 and panel reviews will take place in January. Reviews for the resource center applications should be held in February/March. Dr. Greenberg suggested that copies of the proposals be mailed to the reviewers prior to the meetings.

Mr. OWENS. And the next meeting is scheduled for June?

Ms. BURNLEY. Yes, June, in a couple of months.

Mr. OWENS. We also requested an up-to-date listing of the members of the Advisory Board. Do you have that also?

Ms. ELDER. Yes, sir, we do.

[The material referred to follows:]

National Center for Child Abuse and Neglect Advisory Board Meeting
June 4-5, 1986
Washington, D.C.

Introduction

Dorcas R. Hardy, Assistant Secretary for The Office of Human Development Services, opened the meeting by welcoming the board and introducing five new members: Douglas Thomson, President, Toy Manufacturers of America, Inc.; Greg H. Bower, ADA, Boise, Idaho; Eddie Brown, Chief, Division of Social Services, Bureau of Indian Affairs (represented at the meeting by alternate Louise Reyes); Everett Rhoades, M.D., Director, Indian Health Service (represented at the meeting by Robert C. Kreuzburg, M.D.); and Lynn Engles, Commissioner, Administration for Native Americans. Ms. Hardy then asked those present to introduce themselves and offered a brief history of the board.

The NCCAN advisory board, which now has some 48 members, was created in 1974 as an interagency board. Since then, it has broadened its membership to include non-Federal members and has been charged to include the issue of adoption in its deliberations.

Ms. Hardy spoke briefly about the discretionary grant process and said the agency sought input from board members regarding the structuring of the FY 87 announcement. She emphasized that the goal of the discretionary grant program is to provide seed money for local projects or to fund franchises of ongoing, successful programs. In response to the agency's September 1985 grant announcement for FY 86, Human Development Services received 2,300 applications, 325 of which will be funded. There will be about $25 million discretionary funding for FY 87; $10 to $12 million of this will go toward child abuse and neglect efforts.

She requested that board members give attention to adoption issues--many children have been labeled as not adoptable but this is not true. She announced that this would probably be her last meeting due to her anticipated appointment as Commissioner of the Social Security Administration, but that board members should nevertheless feel free to call on her for assistance. She concluded with a call for approval of the November minutes, which were approved.

Committee reports/activities

Publications Review Committee. Julie Brown, a member of the Publications Review Committee, reported briefly on the recent publications review session in Dallas during which 29 enthusiastic community members reviewed 120 publications on child abuse and neglect in 2 weeks. She said that the review form was recently lengthened to four pages.

Library activity in conjuction with National Child Abuse Prevention Month. Pat Wood, Special Assistant, Children's Bureau, and a staff member of the Publications Review Committee, elaborated further on the committee's work, explaining that Ms. Brown had been describing the second round of reviews.

The committee conducted the first round of reviews during the summer of 1985, reviewing 125 child abuse and neglect publications written for different

audiences. For the review process, each book, available through the Clearinghouse, is read three times: once by a layperson during a community review conducted by a board member and twice by board members or their representatives and/or staff. From the first round of reviews, the committee compiled an annotated bibliography, Child Abuse and Neglect Publications (included in board members' packets). This compilation was published in February 1986 and mailed to 18,000 librarians across the Nation with a letter announcing that April was National Child Abuse Prevention Month and suggesting ways that libraries could work to prevent child abuse and neglect.

Ms. Wood asked that each board member volunteer to read several books from the second round of reviews to help complete the ongoing review process. When the process is finished, appropriate books will be added to the annotated bibliography. She also asked for a volunteer to conduct the upcoming third round of reviews. Frederick C. Green, M.D., inquired about the process for selecting books for review and Ms. Wood answered that they are randomly selected from the Clearinghouse collection. Nahman H. Greenberg, M.D., suggested that the annotated bibliography include a list of all publications received for review by the board. Ronald E. Burton and Helen Howerton said this may mislead people into thinking such mention was an endorsement. Dr. Green then suggested that the bibliography contain an announcement that a complete list of books received for review is available on request, to protect the board against charges of "throwing books away."

Toy Manufacturers of America/Parents Anonymous. Doug Thomson, President of the Toy Manufacturers of America, Inc., (TMA) described his organization and its efforts to support Parents Anonymous. TMA is a trade association representing toy manufacturers and importers worldwide. Its 250 members represent 95 percent of toys sold in the United States. In February 1986, TMA sponsored an event that raised $100,000 for Parents Anonymous. Mr. Thomson said TMA will continue to raise money for Parents Anonymous; he hopes TMA can raise $200,000 annually for the group and thus give back a piece of the toy industry's profits to children's causes.

Questions were raised as to what degree the toy industry calls upon child development specialists to review new products and whether the toy industry considers social issues when it develops products. While there is a strong voluntary standard in the industry for developing appropriate, safe, and worthwhile toys, Mr. Thomson said the industry responds primarily to the market, which demands safe toys.

Helen Howerton, Director, NCCAN, asked whether Mr. Thomson's group could help the Center develop more salable publications and Mr. Thomson answered yes.

Indian Child Welfare Committee. Judge John P. Steketee, chair of the Committee on Indian Child Welfare, reported on his committee's activities and findings to date, and asked the board for feedback as to the direction the committee is taking. The committee has conducted a review of materials published about the delivery of services related to child abuse and neglect on Indian reservations (including the President's Indian policy statement); received testimony at the November 1985 hearing in Chicago; contacted Indian tribal leaders; met in Washington, D.C., in April with Bureau of Indian Affairs, Indian Health Service, and Office of Human Development Services officials; held its first official meeting June 3; and would hold its next meeting June 6.

According to the 1980 Census, there are about 1.4 million Indians in the United States, more than half of whom live within 13 States in the westernmost portion of the Nation. Half live on reservations ranging in size from the Navajo with 150,000 residents to small reservations with only a handful of residents. Approximately 350,000 children live on reservations. Approximately 120 Indian tribes have civil and/or criminal jurisdiction. (There are about 300 federally recognized Indian tribes and 200 Alaskan native villages.) Indians are twice as likely as other Americans to be in poverty, and unemployment on reservations is higher than the overall national rate. There is a growing awareness on reservations that child abuse is a serious problem. Child abuse is at least as much a problem on reservations as anywhere else in the Nation; various indicators, such as the disproportionate foster care placement rate of Indian children (estimated at five times higher than the general U.S. population), suggest it may be more acute.

In 1970, President Nixon announced a national policy of Indian self determination, aimed at fostering and encouraging tribal self-government. The commitment was signed into law in 1975 as the Indian Self Determination and Education Assistance Act. In 1978, the Indian Child Welfare Act was passed requiring courts to respect children's tribal identities. On January 24, 1983, President Reagan signed the President's Indian Policy Statement which states that "responsibilities and resources should be restored to the governments which are closest to the people served," and that "without sound reservation economies, the concept of self-government has little meaning."

The committee offered recommendations pertaining to four main issues: coordination, training, legal and jurisdictional, and legislative action. It identified a "desperate need" for coordination among tribes, State governments, local governments, the Federal Government, and the private sector. Recommendations urged the following:

o the replication of such efforts to coordinate child welfare activities as the Office of Human Development-Bureau of Indian Affairs FY 85 Indian Child Welfare Joint Program Announcement;

o Greater coordination of Indian Health Service and BIA social work staff;

o An exploration of the usefulness of National Health Service Corps resources;

o The addition of an Indian tribal representative to the Advisory Board;

o The promotion of increased utilization of child protection teams at the local reservation level;

o Further training of Indian and non-Indian judges on issues including judicial processes, Indian Child Welfare Act requirements, and permanency planning;

o Training of tribal social service staff, health professionals, and other direct service workers in the identification and treatment of abused and neglected children;

o Efforts to support family strengths and at-home care of children;

o That the Board address legal and jurisdictional issues in the delivery of child protective services on reservations;

o That Indian tribes receive funding under the FY 87 child abuse and neglect legislative proposal to support comprehensive abuse and neglect programs for Indian tribes; and

o Continued support for direct funding to Indian tribes under Title XX.

Discussion focused primarily on jurisdictional issues. Ms. Hardy pointed out that Native Americans are special needs adoption clients and that Native Americans who wind up in foster care typically remain there for 8 years--longer than for other populations. She suggested that the committee develop specific legislative language to address jurisdictional issues. Dr. Green expressed concern that the jurisdictional issues are so unresolved that they seem to take precedence over the actual abuse and neglect of Indian children. Dr. Kreuzburg emphasized a need to concentrate on ways to prevent abuse by examining causes, and to followup on problems after they occur by assisting/treating families. Ms. Reyes pointed out that there are no uniform methods of service delivery and that the BIA is a stopgap measure and not a comprehensive service provider. Lynn Engles mentioned that sexual abuse of children on Indian reservations is a Federal offense.

Update on National Center on Child Abuse and Neglect (NCCAN) activities

Budget. NCCAN Director Helen Howerton explained that the impact of Gramm-Rudman-Hollings would be to reduce the Center's FY 87 funding under the Child Abuse Prevention and Treatment Act by about $1.1 million from the FY 86 level of $26 million. She expects that for FY 87, $9 million will go toward State grants, $11 million to discretionary activities, $2.5 million to Baby Doe activities, and $2.5 million to discretionary activities in the area of sexual abuse. Other allocations are authorized under 1985 legislation pertaining to challenge grants which provide matching funds to compliant States. The deadline for States to apply for the matching grants is July 1.

Activities funded by the Center include the Clearinghouse, nine resource centers, the discretionary grant program, and an abuse and neglect incidence study (required by law). During the last week in May, the Office of Management and Budget approved a survey form for the study. A 3-month period of data collection, involving 29 counties in 19 States, will begin in September. A second tier to the study involves a telephone survey of the population at-large; currently, a pretest to determine the feasibility of such a study is underway.

Discretionary grants for FY 86 will fund research in the following areas:

o Reporting practices;

o Central registry data;

o Child sexual abuse by women;

o Male victims of child sexual abuse;

o Emotional maltreatment;

o Childrens' court appearances; and

o Child protective screening decisions.

Demonstration projects in the following priority areas will also be funded:

o Models to assist teenage mothers;

o Use of volunteers;

o Child abuse and neglect incidence;

o Training for professionals;

o Specialized training teams;

o Coordinated system for dealing with out-of-home abuse cases;

o Recruitment of volunteers to serve as CASA's; and

o Model CASA programs.

Regulations. Ms. Howerton reported that four areas were addressed in the final regulations to the 1984 amendments to the Child Abuse Prevention and Treatment Act: the definition for "out of home" was broadened, the role of child protection services and law enforcement in investigating cases of abuse was defined, confidentiality requirements were modified to allow additional people to receive central registry information, and failure to provide medical treatment was classified as abuse. Regulations on "spiritual alternatives" were clarified, but not changed.

She thanked the board for their suggestions for FY 86 funding priorities for 1986-1987 and requested that they offer suggestions for FY 87 priorities at the next day's meeting.

Meetings, legislation, and congressional hearings

Joint meeting on training. Jane N. Burnley, Associate Commissioner, Children's Bureau, ACYF, described a recent 3-day invitational meeting on training issues, sponsored jointly by the National Association of Social Workers and the ACYF. The meeting grew from a concern that fewer than 25 percent of child welfare workers are trained professionally. Attendees included deans of social work schools, State representatives, and NSW representatives. Recommendations focused on measures agencies can take to hire good professionals and maintain them, what schools can do to adequately prepare students, and what steps NSW can follow to raise professionalism and commitment to child welfare. OHDS is revising its discretionary spending to relect this concern: $3.8 million will go to the child welfare fund. Proceedings from the ACYF-NSW meeting should be available in August.

Legislative proposal. Dr. Burnley then discussed the department's legislative proposal as it relates to the child abuse and neglect program. President Reagan's FY 87 budget request combined three categorical programs: family violence, challenge grants, and the child abuse and neglect program. The department seeks to make that budget request operational with the Family Crisis

and Protection Service Act of 1986, now in draft in the department. Ms. Burnley said she would be discussing this matter with State liaison officers after the day's meeting was concluded and invited board members to attend the discussion.

Congressional hearings. Dr. Burnley briefly described two recent hearings of the Intergovernmental Relations and Human Resources Subcommittee of the House Committee on Government Operations, which addressed, in part, Federal child abuse programs. Dr. Greenberg voiced concern over the integrity of the grant applications review committee because, during the hearings, two reviewers were mentioned by name (reviewers names are supposed to remain confidential).

Victim Assistance Program, National Sheriffs' Association

Donald Anderson, Project Manager for the Office for Victims of Crime, U.S. Department of Justice (DOJ), discussed the National Sheriffs' Association's Victim Assistance Program, established with DOJ assistance in 1984. The program trains sheriffs and other criminal justice officials to respond sensitively and appropriately to the needs and rights of crime victims, and to foster changes in State and local policies and laws regarding victims rights.

Since 1984, the program has organized and established more than 43 State Task Forces on Victims of Crime, composed of more than 500 sheriffs and other officials; trained Task Force members on establishing victim assistance programs and coordinating State and local services; trained an additional 5,000 people during 23 national and international conferences and workshops; assisted and trained an additional 4,000 sheriffs, deputy sheriffs, and other officials at 40 State conferences and workshops; published more than 16 manuals, handbooks, newsletters, and other materials; presented testimony and reports to the U.S. Senate and House of Representatives and to State legislatures; and provided assistance on demand for sheriffs, government officials, and citizens.

National Center for the Prosecution of Child Abuse

Bruce Gardner, assistant district attorney in Madison County, Alabama, described the background and purpose of the National Center for the Prosecution of Child Abuse. Mr. Gardner is on leave of absence from his job in Madison County to work on this project. Funded in 1985 by the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention and NCCAN, the National Center's goal is to provide prosecutors with advice and techniques for handling child abuse cases effectively and efficiently while respecting and responding to the needs of the child victim. The National Center is the first major initiative of the American Prosecutors Research Institute (which was founded in 1983 by the National District Attorneys Association). The National Center strives to bring prosecutorial expertise to all disciplines that have an impact on child abuse and vice versa, to improve the quality of State child abuse legislation, and to improve the quality of prosecution of child abuse at local levels. The center, which urges a multidisciplinary team approach to deal with child abuse cases, plans to achieve its goals by providing a clearinghouse, technical assistance, training, and publications for prosecutors.

Most prosecutors have not been trained to deal with child abuse and child sexual abuse victims. In these cases, standard procedures for dealing with victims of burglary and other crimes usually do not apply or work. The criminal justice

system sometimes is too inflexible to meet the needs of child victims who are then forced to undergo a "second victimization" experience during the justice process.

The Center's first year missions are to publish Multidisciplinary Approach to Child Abuse Investigation and Prosecution, a training manual that urges local prosecutors to develop and participate in a multidisciplinary team approach for handling child abuse cases (this book is being prepared by Madison County, Alabama, District Attorney Robert E. Kramer with an NCCAN grant); to compile a trial manual for prosecutors--a "nuts-and-bolts approach" written for and by prosecutors; and to publish a management manual for large prosecutorial offices.

"Little Bear" video program

Melinda Waggoner, Department of Public Instruction, Madison, Wisconsin, introduced the "Little Bear" video program on sexual abuse prevention for children ages 4-9, produced by NEWIST (CESA # 7) of Wisconsin and funded initially by NCCAN. A portion of the "Little Bear Training" videotape was played for the board.

The "Little Bear" program comprises three parts: the "Little Bear" video, an adaptation of a play written in 1981; the "Little Bear Training" videotape for teachers and presenters; and the Teachers Guide to the "Little Bear" Video Program. The Little Bear story teaches children to recognize, refuse, and report sexual abuse. Its main themes are that children should say "no" to abuse, should tell someone about the incident or attempt, should not keep the abuser's "secrets," and should not blame themselves for the abuse.

The National Children's Advocacy Center Program

Robert E. Cramer, Jr., District Attorney for Madison County, Alabama, described the National Children's Advocacy Center Program, developed in response to increased reports of child sexual abuse in Madison County with the help of an NCCAN grant. A 13-minute videotape, "Sanctuary," was presented that compares the traditional prosecution approach as seen through a young boy's eyes to the methods used by the National Center.

When Mr. Cramer became district attorney in 1981, he initiated a team review system that brought together protective service workers, assistant district attorneys, and law enforcement representatives twice a month to review child abuse cases. It was hoped this would foster communication--previously lacking--among the various professionals involved with children and families in child sexual abuse cases. During the same year, reports of child sexual abuse began to appear and increase rapidly and by 1983, half of the abuse cases reviewed involved child sexual abuse. Also in 1983, a task force including team review members was formed to study treatment, intervention, identification, and prevention of child sexual abuse.

In 1984, after determining that the multidisciplinary team approach was not adequately preventing "second victimization" of children during the investigation process, Mr. Cramer's task force subcommittee proposed a new program--The Children's Advocacy Center.

Initially an NCCAN-funded demonstration project, the Center is now located in a nine-room house in downtown Huntsville. The environment is warm and non-threatening, and the Center's multidisciplinary staff is specially trained to work with children who have been sexually abused.

Since the Center's establishment, the number of child sexual abuse cases taken into the Madison County system has increased dramatically--from 15 in 1981 and 1982 to 120 in 1985. The county's successful prosecution rate has increased from 40 percent in 1982 to 68 percent in 1985. Fewer children are having to go to court because 70 percent of the cases are resulting in guilty pleas--many to a lesser offense. The Center sponsors training conferences in Huntsville for communities interested in establishing similar programs, and Center staff members provide information and in-depth technical assistance to these communities. Currently, the Center is working with 10 to 15 other communities that are replicating the program.

In October 1985, NCCAN awarded the Center a 3-year research grant to study the effects of intervention in child sexual abuse on child victims, their families, and offenders. Federal funding is also allowing the Center to track cases in Madison County. This tracking has indicated that the average child victim of sexual abuse in Madison County is age 9, that more 3-year-olds come into the system than any other age, and that most offenders are male, 30-years-old, black, and earn middle-income salaries.

In response to board members' questions, Mr. Kramer reported that 80 to 90 percent of the cases in which the Center is involved were also in family court, that children are referred to the program from many county agencies, that the county has two shelters for children in "at-risk" situations, and that there is followup with children and families after cases are completed.

Child Welfare Services Resource Centers

Dr. Burnley opened a joint meeting with State liaison officers by welcoming the State representatives and describing briefly the National Child Welfare Resource Centers which were to be the focus of the meeting. The centers are to be sources of excellence and expertise in topical areas and a resource to the State and local community for the purpose of:

- Gathering and disseminating information;
- Developing new materials;
- Providing training, technical assistance, and consultation in the topical area; and
- Establishing a network of organizations and individuals that can be of mutual assistance to one another in the sharing of information and resources.

The Federal Government intends that these centers will become self-sufficient after a 3-year period of Federal startup funding. A significant activity to be undertaken by the organizations operating the centers is the development of marketing and other entrepreneurial strategies to ensure the continued existence of the centers after Federal funding ceases.

Reports were given by each of the Resource Centers, beginning with two in the general area of child abuse that have just been funded and have not yet begun operation. Six other Resource Centers were funded in the fall of 1985 and a seventh (on developmental disabilities) was funded more recently.

National Child Abuse Clinical Resource Center. Don Ross, of the Henry Kempe Center in Denver, said the new Resource Center is designed to provide technical and other assistance to back up front-line staff providing clinical treatment in remote areas. It will begin developing a clinical network by conducting a national survey of regional clinical experts. Further, the Center will do preliminary publications development by reviewing existing publications prepared by Federal grantees to identify those that can be modified or updated. Another special activity will be to provide a minority focus by identifying minority clinical professionals.

The Resource Center has already begun efforts toward self-sufficiency by identifying a corporate group interested in supporting its activities and by initiating a fee structure for the training the Center will provide.

More information about this Resource Center can be obtained from Dr. Richard Krugman, Director, National Child Abuse Clinical Resource Center, Kempe Center, University of Colorado Health Sciences Center, 1205 Oneida Stret, Denver, CO 80220, telephone (303) 321-3963.

National Resource Center on Child Abuse and Neglect. John Fluke of the American Humane Association described the new Resource Center's plans for improving the child protective service system by providing consultation and assistance to agencies in the area of policy development. He said the Center would systematically identify resource providers and resource users, viewing State Liaison Officers as a primary source of expertise. It will develop "best practice models"--effective programs that should be identified and recognized.

More information about this new resource center can be obtained by contacting Patricia Schene, Director, National Resource Center for Child Abuse and Neglect, American Humane Association, American Association for Protecting Children, 9725 East Hampden Avenue, Denver, CO 80231, telephone (303) 695-0811.

National Legal Resource Center for Child Welfare Services. Robert M. Horowitz of the American Bar Association described this Resource Center which is designed to address the child welfare community's need for timely information on judicial and legal developments affecting day-to-day activities. The Resource Center disseminates information in the form of two publications, one for lawyers (ABA Juvenile & Child Welfare Reporter) and one for nonlawyers (Children's Legal Rights Journal).

The Center provides training to lawyers and agencies in such issues as liability and parents' rights and provides consultation on the same kinds of topics. In the middle of November it will sponsor a national conference for lawyers who are experienced in child welfare cases.

Mr. Horowitz asked members of the NCCAN Advisory Board and State Liaison Officers to inform the Resource Center about lawyers working in the child abuse field and their activities, as well as about the legal problems and issues agencies in the various jurisdictions are encountering. He distributed a kit containing a more complete description of the Resource Center's goals and activities as well as

sample copies of its two periodicals. For more information concerning the Center, contact Robert M. Horowitz, Director, National Legal Resource Center for Child Welfare Services, American Bar Association, 1800 M Street, NW., Washington, DC 20036, telephone (202) 331-2250.

National Resource Center for Foster and Residential Care. Ronald K. Green said the Resource Center, which is operated by the Child Welfare Institute in Atlanta, is engaged in exploring new policies that respond to changing foster care populations. As part of this task, the Center is conducting a systems assessment to help departments identify training needs for foster care staff, starting with front-end training. In Massachusetts and Texas, the Center is conducting intensive training to prepare and screen foster and adoptive care candidates. Staff are also being trained in cross-cultural fostering and in permanency planning among Hispanics.

For more information on this Resource Center and its services, contact Ronald K. Green, Director, National Resource Center for Foster and Residential Care, Child Welfare Institute, P.O. Box 77364, Station C, Atlanta, GA 30357, telephone (404) 876-1934.

National Resource Center for Youth Services. James Walker, who directs the Resource Center at the University of Oklahoma, said the Center is focusing on three areas--administration and management, direct services, and program models.

Products and services currently under development are:

o An advanced child care curriculum for use in residential programming;

o A video training tape on videotaped testimony for the State of Oklahoma. Both a generic tape and one specific to Oklahoma laws will be produced. The Center will prepare videotapes for other States as well, upon request; and

o A therapeutic camping project to combat teen prostitution.

Mr. Walker announced that the Center is developing a computerized cataloging system for program models on independent living, services for minority youth, adolescent suicide, runaways, and adolescent pregnancy. The system will produce a listing, by topical areas, of people who have experience in these subjects. A national training conference is planned for August 24-27 in Denver, cosponsored by the National Network of Runaway and Youth Services.

More information on these and other activities may be obtained by contacting James M. Walker, Director, National Resource Center for Youth Services, University of Oklahoma, 440 S. Houston, Suite 751, Tulsa, OK 74127, telephone (918) 581-2986.

National Resource Center for Child Welfare Program Management and Administration. Elaine Hornby, of the University of Southern Maine, told of the Resource Center's work, which is concentrated in five areas:

o Planning and evaluation of child welfare services, with an emphasis on monitoring and evaluation;

o Data systems, with a concern for integrating different systems;

- Financial management, especially in times of service cutback;
- Personnel management, including caseload management; and
- Licensing, with a focus on staff development among licensing workers.

The Center also provides toll-free access to its clearinghouse and operates a national child welfare party line, which is in essence a national teleconferencing system for providing training and technical assistance.

A national conference is planned for October 27-30 in Portland, Maine, on the subject, "Managing With Less."

More information may be obtained by contacting Stephen P. Simonds, Director, National Resource Center for Child Welfare Program Management and Administration, Human Services Development Institute, University of Southern Maine, 246 Deering Avenue, Portland, ME 04102, telephone (207) 780-4430.

National Resource Center on Child Welfare Services to Developmentally Disabled Children. Mary Richardson described the purpose of the Resource Center, which is to reflect and recognize the overlap between disabilities and foster care. Its primary goal is to better equip the child welfare system in dealing with these children.

The Center is engaged in strengthening the links between child welfare and developmental disabilities specialists and is developing new linkages as well.

More information can be obtained by contacting Dr. Mary Richardson, Director, National Resource Center on Child Welfare Services to Developmentally Disabled Children, University of Washington, Clinical Training Unit, Child Development and Mental Retardation Center, Seattle, WA 98195, telephone (206) 545-1350.

National Resource Center on Special Needs Adoption. Jane F. Swanson, Ph.D., Director of the Center, which is operated by Spaulding for Children in Chelsea, Michigan, said the purpose of the Center was to increase the quantity and quality of placements, especially of teens, minorities, and children with developmental disabilities. To accomplish this goal, the Center provides training, consultation, and leadership development services. The intent is to establish the Center as a reference point for exemplary special needs adoption practice.

Priority training areas include minority adoption programming, adoption services for the developmentally disabled child, post-adoption services, foster parent adoption, linkages between adoption and residential care systems, and preparation for volunteer advocates in special needs adoption.

Consultation focuses on providing clients with more effective means of managing and delivering their adoption and post-adoption programs.

The leadership development program consists of a 3-week residential training program to selected applicants that qualify as emerging leaders.

More information may be obtained by contacting Dr. Jane Swanson, Director, National Resource Center on Special Needs Adoption, Spaulding for Children, 3660 Waltrous Road, P.O. Box 337, Chelsea, MI 48118, telephone (313) 475-8693.

National Resource Center for Family-Based Services. Dr. Burnley substituted for Janet Hutchinson in describing the purpose and services of the Center. Family-based services are seen as an alternative to foster care. The Center provides aid in numerous areas, including program planning, needs evaluation, organizational and staff development, professional development, and auditing and case review.

The Resource Center is currently engaged in two research projects: (1) developing a performance monitoring and contracting manual for application to preventive services, and (2) examining outcome data from 12 public and private agencies with respect to success and failure in providing family-based services. The Resource Center is also producing a directory of exemplary programs and a source book of family-based resources.

In conjunction with the American Public Welfare Association, the Resource Center conducted a symposium for managers of large urban welfare systems to help them improve delivery of prevention services.

More information may be obtained by contacting Janet R. Hutchinson, Director, National Resource Center for Family-Based Services, School of Social Work, University of Iowa, N-240A Oakdale Hall, Iowa City, A 52242, telephone (319) 353-5076.

Reports and discussion on foster care issues

Dr. Burnley opened the second day's meeting by welcoming the State liaison officers who were attending the morning session of the NCCAN advisory board meeting. She also announced that an item on the previous day's agenda--transportation for non-Federal board members--had not been addressed and that Helen Howerton would be available during lunch to discuss this issue. She urged board members to make sure they have received handouts on funding of discretionary projects in previous years and FY 87 priorities before the discussion that afternoon on FY 87 priorities. She then presented some facts about foster care as an introduction to the next two presenters.

There are 276,000 children in foster care in the United States, many of whom entered the system due to abuse and neglect in their homes. The average age of children in foster care has increased in recent years from 9.5 to 11 and there are more handicapped and disturbed children in foster care with more complicated service needs than in the past. Because 44 percent of foster care children are 13 to 17 years old, there is also an increasing demand for a range of adolescent services. The number of children in foster care has declined steadily since peaking at 500,000 in 1977, and has leveled off in the last 2 years.

The leveling off of the number of foster care children is a matter of concern because simultaneously, the number of abused and neglected children is increasing and, traditionally, foster care has been a haven for many of these children.

Interpreting Foster Care Entry Rates. Dave Fairweather, Social Science Analyst, ACYF, summarized the report, Interpreting Foster Care Entry Rates, prepared by the DHHS Office of Inspector General (OIG) to determine why data reported by States to the Voluntary Cooperative Information Systems (VCIS) show major differences in entry rates into foster care and duration of placements.

The Adoption Assistance and Child Welfare Act of 1980 was enacted in an attempt to strengthen policies and practices to reduce the number of children in foster care and the duration of foster care placements. The act provides fiscal incentives for States to implement statewide information systems with data on children in care. One source of child welfare foster care data is VCIS, a voluntary system implemented by the American Public Welfare Association to collect child welfare information from States on children under age 21.

According to a survey of 1983 VCIS data on which the OIG report was based, abuse and neglect account for the largest number of children entering foster care. More than 75 percent of the children were in care due to parent-related factors. National reports of child abuse and neglect have increased dramatically--from 416,000 in 1976 to more than 1 million in 1983. Generally, this increased reporting has not been accompanied by increased resources.

The survey identified a number of reasons for variations in State's entry rates and duration of foster care placements and found that differences among States reflect differences in State child welfare services, policies, and practices. Where workers had little or no discretion in responding to reports of abuse or neglect, entry rates were higher and durations of placement were shorter. Where the social workers were not meaningfully involved in decisions to remove children, entry rates were higher and durations of placement were shorter. When children removed from their homes and placed with upaid and/or unlicensed relatives were included in the reporting system, entry rates were higher. State criteria for determining when to remove a child from an abusive home vary in strictness. Where criteria were restrictive, entry rates tended to be lower. Services for older children vary from State to State. States with services emphasizing the young tend to bring younger--as opposed to older--children into the system.

VCIS data are not a measure of the quality of foster care programs, but rather a reflection of different ways programs operate based on individual State policies, reporting, populations, and information systems. The data will reflect gross trends, but should not be used to determine whether the trends reflect improvement or deterioration without understanding specific State policies.

The report recommends that OHDS determine what screening and investigation techniques and practices States have used effectively to reduce the demands placed on child welfare staff without compromising the safety of children. This information should be provided to States as technical assistance for dealing with the increasing number of child abuse and neglect reports (especially sexual abuse) that result in unnecessary short-term removals. A second recommendation is that OHDS initiate a study to determine the impact of competing demands of State child welfare program components (e.g., protective services, foster care, adoption, reunification) on the overall programs. Where deficiencies or imbalances exist, OHDS should provide incentives to States to increase or redirect resources. The report also recommends that OHDS encourage the American Public Welfare Association and support State efforts to establish some minimal number of data categories where interstate comparisons can be made.

Evaluation of Emergency Foster Care Case Practice. Elyse Kaye, Washington Office Director, Urban Systems Research and Engineering, Inc., reported the results of an evaluation of programmatic and financial issues related to emergency foster care case practice. Emergency foster care was defined as

placement within 24 hours of the event precipitating placement. The study sought information on whether there is a pattern of children who enter and leave foster care very rapidly, but whose placements could have been avoided through the provision of preventive services. It also sought to find out if policies of making higher or guaranteed payments to foster families for emergency foster care results in an overutilization of emergency settings.

For the study, the 100 most recent entries into foster care in Jefferson County, Colorado; Monroe County, New York; and Dallas County, Texas, were examined. Findings revealed that agency policies and practices are reflected in the characteristics of children entering care and the events leading to their placement; the initial concerns about emergency placement fees resulting in higher rates of placement were unfounded; there is a relationship between rapid intake and rapid exit from the program; preventive services might have avoided the events which led to placement, particularly in cases with histories of neglect; and the differences in the foster care populations across study sites suggest that a range of services are needed to meet the needs of both groups.

An analysis of events precipitating placement showed that the primary precipitating event varied across sites; that the differences across sites can be traced to the policies of each agency; that in cases where physical or sexual abuse precipitated placement, neglect was often a historical factor; and there appear to be two foster care populations requiring different services: abused/neglected children and children with behavioral problems.

The study identified the following issues of concern relating to abused and neglected children: 1) families had histories of neglect, but children were not placed in care and services were not provided until abuse occurred, and 2) preventive services were limited to counseling and casework services; little day care and almost no homemaker services were provided. Issues of concern relating to children with behavioral problems were also identified: 1) all agencies noted serious problems in identifying foster family homes and child care facilities for older adolescents, and 2) for agencies where most children placed are older, different types of preventive services are required.

Some unexpected findings emerged with respect to relative placements: relative homes were often subject to the same problems as the home from which the child was removed; relatives were often unable to protect the child from the parent; and relatives' commitment to care for children was uncertain--children were sometimes "passed around" from relative to relative. Ms. Kaye emphasized that as regards this last "issue of concern," the point is not to find fault with relative placements, but that service providers may have automatically assumed that relatives are good placement choices without considering additional services.

Dr. Greenberg said he would like to see the data from the study so he could draw his own conclusions, and Ms. Kaye said that a final report with quantified information was available through ACYF. Dr. Greenberg raised questions regarding the age differences of average children placed in the three areas (in Jefferson and Monroe counties, the average age of a child placed in foster care was 11; in Dallas County, the average age was 7) and inquired whether the study collected data on prior placements. Ms. Kaye said the study found relatively similar rates of prior placements across sites.

Dr. Green commented that the "passing around" that the study found sometimes

occurred when children were placed with relatives may be positive because these families were sharing the responsibility for care. Ms. Burnley pointed out that PL 96-272 contains an incentive for placing children with relatives and that she was aware of no studies to determine the qualitative outcome of such placements. Ms. Kaye mentioned that quite often these cases are not included in studies.

In response to other questions, Ms. Kaye said the study found no significant differences in the way handicapped and nonhandicapped children entered foster care and that the study did not examine mortality rates. She pointed out two weaknesses of the study: first, that in examining the cases it did, it underestimated the level of emergency out of home care; and second, that the method the study used to distinguish between voluntary and court-ordered placements was inadequate.

A discussion ensued about courts' efforts to comply with the legal requirements to make reasonable efforts to place children with a relative or appropriate other person and to remove perpetrators from abusive homes. Ms. Burnley questioned whether States were making such efforts and said this is a matter of concern to the agency. Representatives from several States, including Michigan, Minnesota, Oregon, Utah, Hawaii, Illinois, Iowa, and Kansas, reported that efforts were made to remove perpetrators from the home. A representative from California said compliance with the removal provision was very difficult to determine because it would require 24-hour monitoring of homes to see whether the perpetrator had returned.

Child abuse and family violence in the military--what is being done?

Robert L. Stein, Director, Military Family Resource Center, Department of Defense (DOD), opened his presentation by introducing each military representative in attendance at the board meeting and praised the cooperation among the branches of service in child abuse prevention efforts. However, he emphasized the need for further cooperation among the Armed Forces and between the States and the military.

There are 2,137,373 active duty U.S. military personnel and 2,881,247 family members living on 888 U.S. installations and 352 overseas installations. In 1985, 5,908 child abuse and neglect cases in military families were reported (this number is down from 1984 when 7,219 cases were reported, and 1983 when 6,369 cases were reported). There were 8,215 reported cases of spouse abuse in FY 85, 9,843 in FY 84, and 6,540 in FY 83.

To help address problems of child abuse in military families, the DOD in 1981 called for the establishment of a family advocacy program. This program, the Military Family Resource Center, was established in 1981 as an NCCAN demonstration project. Program components are prevention, identification, reporting, intervention, disposition, treatment, evaluation, and followup of child abuse. Its functions are to develop family advocacy policy and standards; to provide guidance and technical assistance; to collect and analyze program data; to program, budget, and allocate funds and other resources for the family advocacy program; to facilitate the identification and resolution of joint-service issues and concerns; to monitor and evaluate existing DOD family advocacy programs; to collect and maintain research and resource collections; to publish a family advocacy newsletter; and to develop and maintain liaison with Federal and State agencies/organizations that address family advocacy issues.

Board members were urged to read the Center's newsletter ("Military Family") and to write or call the Center, located at Ballston Towers #3, Suite 903, 4015 Wilson Blvd., Arlington, VA 22203, telephone (202)696-4555, (800)336-4592, and (AV) 226-4555.

Among the Center's accomplishments to date is a study of jurisdictional issues involved in child abuse cases in military families. While States set forth comprehensive procedures for addressing child maltreatment, Congress has not enacted laws dealing with child abuse/family violence occurring on Federal lands. In areas of exclusive Federal jurisdiction, civil and criminal laws of the State where the installation is located do not directly apply. In these locations, military personnel and family members may be denied access to needed legal and protective services. Military authority to remove at-risk individuals from their homes is limited, as are legal provisions within the military for placement and supervision of dependent minors outside their own homes. State welfare agencies cannot voluntarily initiate assistance on the installation. They may decline military invitation to provide service, and the military may refuse civilian access to installations.

In 1985, the Center conducted a study of the nature and scope of problems associated with the implementation of DOD family advocacy program goals in areas of exclusive jurisdiction. The study found that 141 U.S. installations have personnel and family members residing in areas of exclusive Federal jurisdiction (16 percent of DOD installations in the United States). This affects 500,000 people--13 percent of the total military and military family member population in the United States. Of these installations, 46 have memorandums of understanding (MOU's) with civilian agencies that address various roles, responsibilities, and agency/military procedures for dealing with the civil and criminal aspects of family violence involving military families; 78 percent routinely report instances of suspected abuse that occur on Federal lands to civilian authorities; and 53 percent regularly receive reports of abuse that occur in the civilian community from outside agencies.

The study recommended that DOD establish, by policy, that all instances of suspected child abuse will be reported to the State agency mandated to receive such reports; that military installations and civilian social and law enforcement agencies enter into MOU's to address procedures for responding to cases of family violence; that DOD encourage other Federal agencies to support military-civilian cooperation regarding child abuse; and that DOD and DHHS implement a joint project to identify key ingredients for effective military-civilian cooperation and coordination in serving all military families affected by family violence.

Judge Steketee suggested MOU's may be helpful in resolving jurisdictional conflicts pertaining to child abuse on Indian reservations. A number of board members and State liaison officers commented on the potential value of the MOU, and Mr. Stein emphasized that one of their strong points is that they may be revised and improved if initial agreements are not adequate.

Annual report to the secretary

Dr. Burnley closed the morning session with a farewell to the State liaison officers and asked for attendees' opinions on whether they felt it is advisable to hold the two meetings simultaneously in the future. The consensus among NCCAN

board members and State liaison officers was that it is worthwhile to hold the such reports; that military installations and civilian social and law enforcement agencies enter into MOU's to address procedures for responding to cases of family violence; that DOD encourage other Federal agencies to support military-civilian cooperation regarding child abuse; and that DOD and DHHS implement a joint project to identify key ingredients for effective military-civilian cooperation and coordination in serving all military families affected by family violence.

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Dr. Burnley mentioned the annual report that the advisory board submits to the secretary and said they are delinquent with the current report. She suggested the possibility of preparing a 2-year report instead. This report should contain recommendations to the secretary and should reflect the board's activities and deliberations. She said recommendations will probably emerge during the next meeting.

In addition, the board must present a biannual report to Congress. State liaison officers will soon be receiving requests for information about their programs--especially those with interagency components.

The President's Child Safety Partnership

William Modzeleski, Director Partnership Program, U.S. Department of Justice, described The President's Child Safety Partnership, established in 1985 under Executive Order 12511 to "recommend initiatives by which the private and public sectors may cooperate in promoting the safety of children." More specifically, its objectives are to encourage more private-sector involvement in child safety programs; to collect and distribute accurate information regarding crimes committed against children to increase public awareness; and to promote and present awards to outstanding programs for child safety. The Partnership's sunset date is 1987, at which time it must issue a report.

To gather material for its report and to increase public awareness about child safety issues, the partnership has sponsored public hearings in New York City, Chicago, and Austin. Future hearings are scheduled in Denver and Seattle; hearings might also be held in Florida and California. Board members were urged to submit testimony for the hearings and to encourage others to do so. The Partnership selects people to testify at the hearings based on interviews with

these individuals.

Dr. Green expressed reservations about the Partnership membership, citing a lack of black private sector representation. (There are 26 presidentially appointed members to the Partnership.) He questioned the Partnership members' awareness of high-risk areas where children's needs are the greatest and urged that the Partnership receive adequate information about these children and their needs.

Child Abuse, Sexual Abuse, Neglect--A Public Health Priority

Juanita Evans, Chief, Public Health Social Work, Child and Adolescent Health Service Branch, Division of Maternal and Child Health, discussed the public health perspective relative to child abuse and neglect.

While many child abuse programs focus on crisis, PHS's goal is to promote prevention. The Division of Maternal and Child Health strives to ensure quality health services training and research for mothers and children by allocating money for projects, especially Special Programs of Regional and National Significance (SPRANS). Its staff is interdisciplinary and works with educational and private agencies who deal with maternal and child health matters. The division (formerly the Children's Bureau) is celebrating its 50th anniversary within Title V of the Social Security Act.

A new branch in the Maternal and Child Health Division was recently established to deal with maternal and infant care. This branch is concerned with preventing child abuse and neglect and identifying obstetric patients who are considered high risk.

The Division of Maternal and Child Health recently published an abstract of SPRAN projects in the areas of maternal, child, and adolescent care. Other publications include Public Health Implications Related to Sexual Victimization of Children, and a revision of Child Abuse/Neglect/Sexual Abuse--A Guide for Prevention, Detection, Treatment, and Follow-up for BHCDA Programs and Projects.

In response to a question from Dr. Green, Ms. Evans said the issue of AIDS and child sexual abuse is of concern to the Division although it was not specifically mentioned in any RFP's.

Head Start program

Karen Mitchell, formerly with NCCAN and now with Head Start, described the Head Start program's efforts to prevent and identify child abuse. Head Start deals holistically with children's needs and is capable of helping prevent family dysfunction. There is no disproportionate amount of abuse of Head Start children, but abuse does occur. In 1977, Head Start sent out a policy instruction to schools reiterating the importance of reporting abuse and requesting that schools designate a representative to work with the child protective service on child abuse and neglect matters.

Head Start has initiated several projects aimed at reducing parent stress. NCCAN provided Head Start with funding to develop a curriculum about preventing abuse of handicapped children and now Head Start is developing a generic model of this curriculum. Head Start has led a number of parent education workshops and has

sent out tip sheets on parent education. It has developed a regional level guide for preventing child abuse and neglect, conducted training to promote local, interagency collaborative agreements. Thirty-six parent-child centers across the country provide support and information to young parents.

FY 87 Coordinated Discretionary Program

Dr. Burnley led a discussion about the FY 87 Coordinated Discretionary Program and urged board members to provide input regarding FY 87 priority areas. For FY 86, about $26 million was appropriated by the agency; $12 million went to States under the Basic State Grant Program and the remainder will soon be awarded to applicants who responded to priority areas published in the Federal Register in September 1985.

All OHDS discretionary program announcements are published at the same time in a coordinated announcement in the Federal Register. Typically, this listing of priorities is published in the fall and grants are awarded during the following spring and summer. It is now time to set the FY 87 priorities. The FY 87 coordinated discretionary announcement is expected to be published in August. Because the priority areas must be made available for public comment 60 days prior to the actual solicitation for grants announcement, it is crucial that board members provide their input as to priority areas or demonstration topics before COB the following day.

During the last 3 to 5 years, NCCAN has undergone a philosophical change in the way it allocates money under the program. In the past, the emphasis was on funding longer term, high dollar grants. Now, the Center aims to fund a greater number of smaller projects to seed local and community programs. It encourages projects to utilize volunteerism and private sector involvement. Priority areas OHDS is considering for FY 87 are 1) Risk Assessment Systems Utilized by Child Protective Services in the Decision Making Process; 2) State and Local Responses to Child Abuse and Neglect Allegations in Custody Disputes; 3) Abused and Neglected Children Involved in Court Actions; 4) Perceptions of Abused Versus Non-abused Children Using Anatomical Dolls in the Conduct of Interviews; 5) Removal of the Perpetrator Versus Removal of the Victim from the Home: Effects on the Victim and the Family; 6) School Performance of Child Abuse and Neglect Victims; 7) Assessing the Impact of Child Abuse and Neglect on Victims; and 8) Unintended Consequences on Children of Child Abuse and Neglect Prevention Programs.

Dr. Green raised some questions regarding research priority number 8, Unintended Consequences on Children of Child Abuse and Neglect Prevention Programs. Unintended consequences include a teacher or father being afraid to touch a child, or a child's exaggerated fear of strangers, and the fact that fewer men are entering the field of day care.

With the increase in concern over child abuse and neglect, there has been a proliferation of relevant publications--some good, some bad. The agency seeks information about the impact of these materials--whether some unintended effects are occurring unbeknown to the agency.

Dr. Green acknowledged the value of such research, but expressed concern that the results could provide ammunition to groups that oppose child abuse prevention programs and could have a negative impact on prevention efforts. He suggested the

solicitation be revised to reflect a more positive approach, for example, by asking grantees to incorporate information on good and bad programs and consequences. Ms. Hardy suggested that, instead of offering the topic as a priority area, the Clearinghouse (or another source) could compile a synthesis of good, effective prevention programs that do not frighten children. She said it is important that solicitations not be so specific as to infringe on grantees' creativity. Greg Bower said it is essential that teachers know about both good and bad programs--to show that positive programs like "good touch/bad touch" are not encouraging children to invent stories of abuse.

Judge Merrill L. Hermansen said the idea of "effective court actions" in research priority number 3, Abused and Neglected Children Involved in Court Actions, needs clarification. It would be useful to have information on what happens in families during criminal prosecution of the parent for child sexual abuse and when a juvenile court calls for removal of a parent. However, court action itself does not affect the youngster, it is what arises out of the court action. Ms. Hardy requested that Judge Hermansen work with agency staff to develop the specific language change he sought.

Dr. Burnley said this priority was developed partly because recent spouse abuse prevention research indicated that different approaches to law enforcement intervention led to differences in abuse recurrence. The Center seeks to take that concept and apply it to child abuse and courts--to see whether court involvement has a significant impact on recurring abuse.

Discussion ensued about the issue of confrontation between a child and the abuser in court. Mr. Bower said that a criminal case can be ruined by not having the child testify. Dr. Green pointed out that many of these cases can instead go to family court where a "preponderance of the evidence" rather than "proof beyond a reasonable doubt" determines a winning case. He spoke of the need to accompany punishment with rehabilitation.

Demonstration topics

Dr. Burnley requested board members to suggest topics for FY 87 demonstration projects. Preventing abuse among teen parents, responding to drug abusing parents, and promoting joint protective service system-mental health system projects to involve the latter with abused children are among topics for demonstration projects in which the Center is interested. Priority areas will be further refined in July, and the Center will make an effort to distribute these to the board during the refinement process.

Dr. Green suggested an effort to look at the vulnerability of the handicapped to abusive homicide. Dr. Burnley suggested one direction might be to find out how to link services for the population at large with the handicapped.

Board discussion

At this point, the board meeting was running beyond schedule and Dr. Burnley asked whether board members would extend the meeting for another hour to address future board activities, National Child Abuse Prevention Month, suggestions for topics/reports at future board meetings, and suggestions for topics at the Eighth National Conference on Child Abuse and Neglect, anticipated to take place next fall. It was decided to move on to the last items on the agenda: committee

reports.

Committee reports

Hearings Committee. Penelope Kendall requested that the Center provide direction to the Hearings Committee regarding the focus of the hearings. The hearings have been worthwhile, but the Committee needs to know its purpose--are they to be the "ears" for the national conference? If so, this is a good idea because not everyone can afford to attend the national conference; regional hearings increase the number of voices that can be heard. Perhaps the hearings could be held during State protective service agency conferences. Edward Coll said the committee did not want to mislead people that it could take positive, corrective actions to address the frustrations vented at the hearings. Dodie Livingston said one measure committee members could take would be to provide appropriate referral information to people who testified.

Publications Review Committee. Ms. Wood announced that board members interested in reading books for the review process should go to her office, Room 2726 of the Donohoe Building, June 6, to pick up any books. She would be providing mailing labels and large envelopes for return of the books to the Center.

Private Sector Committee. Judge Hermansen said his committee has not had an opportunity to meet yet, but that Doug Thomson had agreed to serve on the committee. By corresponding, they would be developing a course of action and would be trying to get the National Chamber of Commerce involved in their efforts. There was some discussion about getting churches involved and Ms. Livingston pointed out that the Center cannot directly fund churches. Judge Hermansen said any involvement by churches would be on a voluntary basis. Dr. Green urged the committee to be selective in deciding which churches to work with and in what ways. Ms. Evans suggested that churches can be useful providers of information.

Final comments

Ms. Livingston closed the meeting by asking for final remarks from board members. Ms. Evans urged that future meetings be planned to allow more time for board discussion and planning with less time devoted to presentations. Dr. Green said it was his intent to make sure the National Committee for the Prevention of Child Abuse (of which he is president) works in harmony with the board. Yvonne Drummond (representing Marty Spites, Army Headquarters) relayed a message to the board from a State liaison officer who suggested that future joint meetings schedule unstructured time for an exchange between State liaison officers and board members. Ms. Drummond also inquired whether any research had been conducted on the relationship between suicide and child abuse and said she would be interested in hearing something on that topic during the next board meeting.

MArt. Spights

Mr. OWENS. We talked about chronology a little bit before, the time periods between the enactment of the law, the issuance of regulations, the actual distribution of the funds, etc. In the case of "Baby Doe," can you tell us a little bit about how you were able to do that so rapidly? I think it was a 6-month period between the enactment of the law and the issuance of the regulations. How was that possible?

Ms. BURNLEY. Well, sir, the "Baby Doe" regulations are regulations with which I am fairly familiar. The notice of proposed rulemaking and the draft proposed guidelines for infant care review committees were published on December 10, the day that I was assigned to the Childrens Bureau in 1984. That did meet, I believe, the required deadline that was published in the amendments in 1984, the October 9 amendments. That was what I would describe as an Herculean effort that was an effort that combined the efforts of the Office of the Surgeon General, the Office of Civil Rights in the Department, the Office of the Secretary, and the National Center on Child Abuse and Neglect and other offices within the Office of Human Development Services. Because of the complexity and the medical nature and the civil rights aspects of the "Baby Doe" issue, all of those offices were combined and ordered to develop the draft rules. It was a very intense effort. As you know, that particular amendment represented a coalition—an uneasy coalition, I might add—of Right to Life and disability advocacy groups, the American Hospital Association, the American Medical Association and others who came at this particular issue from widely varying vantage points but who managed to agree upon the language in an amendment to this particular law.

It was, I think, a very complex piece of legislation and our——

Mr. OWENS. Is that because it was so complex that it was easier to get it done in six months?

Ms. BURNLEY. No, sir. Because it was so complex, it required a number of different pieces of the Department to be involved, and there was a special effort made, I think primarily under the leadership of the Surgeon General, to make sure that it was done right and done well. We published those amendments on December 10, and it was on April 15, 1985 that we published the final rule after receiving over 117,000 comments.

In order to do that, though, we had detailed to the National Center numerous staff from all over the Department of Health and Human Services to open, read, analyze and help in the drafting of the final rules. That type of massive effort we simply can't afford to do with every regulatory piece that we deal with. The non-"Baby Doe" regulations which were published just this past February, which deal with the other amendments to the——

Mr. OWENS. It took them how many months to get published?

Ms. BURNLEY. It took us approximately 12 or 14 months to publish the notice of proposed rulemaking. We received a number of comments. There were considerable discussions within the Department about the nature of the definitions that were included in those rules. In addition, the comments included areas which we had not published for comment, and——

Mr. OWENS. So the "Baby Doe" section took six months—

Ms. BURNLEY. Yes, sir, that's right.

Mr. OWENS [continuing.] And the rest of the law took——

Ms. BURNLEY. Two years.

Mr. OWENS. Two years?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. And the reason is that "Baby Doe" was so much more complex——

Ms. BURNLEY. The reason is that the Department made an Herculean effort to assign——

Mr. OWENS. OK, and what is the problem with making a Herculean effort to do the "Baby Doe" versus the rest of it? Is it that "Baby Doe" is so much more important in terms of saving the lives of children?

Ms. BURNLEY. I think that all of these things are very important. We simply cannot do all of them at once.

Mr. OWENS. So why was "Baby Doe" singled out for 6-month treatment?

Ms. BURNLEY. I think the best answer to that is that this was an especially controversial area in which we had, as I said, not just the National Center staff involved, but staff from throughout all the Department. There was additional staff put on it. All of these things are important.

Mr. OWENS. Well, wouldn't you say that the difference between 6 months and 2 years is rather outrageous?

Ms. BURNLEY. No, I wouldn't call it outrageous, sir. I think that we might want to——

Mr. OWENS. Is that the pattern within the whole Department of Health and Human Services, that regulations take 2 years?

Ms. BURNLEY. I would say to you that regulations take a very, very, very long time, generally speaking.

Mr. OWENS. Two years is normal?

Ms. ELDER. Two years is very normal.

Mr. OWENS. That's not abnormal?

Ms. ELDER. That's not abnormal at all. And in many instances, what we try to do collectively as the senior staff after Congress has passed various pieces of legislation is, if we feel that there is not very much variance—in other words, that the opinion base is going to be pretty much in agreement with how the law is written—we then move to publish a policy issuance in the Federal Register rather than going through the regulation writing process, in other words, to be helpful to Congress because we can get it done faster.

For example, sir, on the chart which I am submitting for the record I can indicate to you how much easier it was if that law was very, very specific and very clearly written, to then publish in the Federal Register that—read the law, is what we say to the States; read the law, and then submit your applications so that we can get your funds. If we went into the regulation writing process we would slow that whole situation down, and we would prefer not to do that. Two years is really very normal in terms of writing regulations.

Now, what we do is, we have the regulations being written, and at the same time we're trying to push out what we want to get done. And I would concur with the Associate Commissioner's response. Basically, we worked very diligently, many people in the Department, to facilitate the movement of the "Baby Doe" regula-

tions because there was a great deal of variance and concern about how those regulations should be written. And we knew that there were going to be many, many people who wanted to comment. I mean, it wasn't a clear-cut, A-B-C kind of situation, and we put many people on that task, and I am hopeful that you are pleased with the work that we did. We worked very hard to get that done.

Mr. OWENS. We are pleased. We congratulate you. It shows that it can be done in 6 months if it's political enough, given the priority. But nevertheless, it shows that it can be done.

Are you pleased with the outcome of the "Baby Doe" regulations, the implementation of it?

Ms. ELDER. I am very pleased, and I know that——

Mr. OWENS. Can you give us a quick summary of the results that we've achieved, how many lives have been saved?

Ms. BURNLEY. First of all, to comment on your other comments, sir, the other regulations did not have a statutory deadline for publication. The "Baby Doe" regulations were the only changes which in the law, Congress chose, in 1984, to tie a particular regulatory time line to.

Mr. OWENS. Which means that in the reauthorization of this legislation you have recommended that we have statutory deadlines?

Ms. BURNLEY. No, sir. All I can tell you is that we can do the best that we can do, and we are doing that.

Mr. OWENS. All right.

On the "Baby Doe," what have been the results, in your opinion, of the legislation?

Ms. BURNLEY. All right. We have provided funding to States since 1985 at a level of $3 million for the development of programs and procedures to respond to instances or allegations of withholding of medical treatment for disabled infants——

Mr. OWENS. I understand that the majority of the States have complied?

Ms. BURNLEY. Yes, sir.

In addition, we have provided the training and technical assistance grants in 1985, which is $500,000 in addition to the $3 million that was earmarked.

All but three States have established the programs and procedures. The three States which have not chosen to participate in this are California, Pennsylvania and Indiana. Those States, as we understand it from talking to them, while they have not set up programs and procedures which we have reviewed, they would respond to those kinds of reports through their protective services systems if they would arise.

We recently, because of our interest in this particular aspect of implementation and the complexity insofar as protective service agencies who must work for the first time with hospitals in the delivery of care to disabled infants, along with the Surgeon General asked the Inspector General's Office to study thus far how this program is being implemented in protective service agencies and how it is that the hospitals are implementing the recommendations and guidelines for infant care review committees which are not required by the act but which were published as model guidelines for suggested use.

As we looked at the protective service agencies—now, this is preliminary information which will be available in a full report, I believe, in about 2 months' time, and we would be very happy to provide that to the committee when it's available. All of the States do have programs and procedures. A number of them elected to enact new State legislation to deal with these reports——

Mr. OWENS. Could you give us some estimate of how many lives have been saved?

Ms. BURNLEY. Well, there were 21 reports of "Baby Doe" situations that came in to protective service agencies. As the agencies intervened——

Mr. OWENS. That's 21 for the whole country?

Ms. BURNLEY. Yes, sir, that is correct.

And the intervention, I believe, as reported to us was changed as a result of the protective services intervention in six cases. There are 24 States who have told us that they have never received a report of withholding or medical neglect, and 13 States which have not received any since the publication of those regulations and their effective date in October 1985.

It is our belief that this particular amendment and the Infant Care Review Committee guidelines represent, I think, a significant effort toward prevention of withholding of medically indicated treatment from disabled infants, as there was considerable attention nationwide around the time of two instances, one in New York and one in Indiana, where treatment decisions were made, and in one instance an infant died.

I think that because Congress in its wisdom chose to enact this legislation and deal with it in this way, and the attention that it then drew, that in fact we may well be seeing the impact of that prevention. That is our belief, because as we surveyed ten hospitals in eight major cities, all of them had ethics committees in which they deal with serious treatment issues that include treatment issues around neonatal care. And we're very pleased to see that that, in fact, is happening.

Mr. OWENS. Congress in its wisdom, with the initiative taken by the Administration, chose to enact the "Baby Doe" legislation——

Ms. BURNLEY. Yes, sir.

Mr. OWENS. The initiative did come from the administration, and the administration certainly followed through on that initiative in terms of the implementation of the act. And as a result, it has been very effective. We would like to see the same kind of effectiveness take place with respect to the other aspects of the Child Abuse Prevention and Treatment Act, and with the same kind of cooperation from the administration. I'm sure we could accomplish so much more. We certainly would appreciate your figures and records and evaluation results on what has been accomplished by the rest of the Child Abuse Prevention and Treatment Act in terms of your figures that show what else has been done, despite the 2-year delay in issuance of the regulations. I still hope we have accomplished a great deal.

Ms. BURNLEY. We have accomplished a great deal, sir. Those regulations, the non-"Baby Doe" regulations, primarily dealt with two matters which were amendments. One had to do with clearly defining to States the scope of what is meant by "persons responsible in

out-of-home settings" for a child and the extent to which out-of-home settings would be covered by this act. There was considerable debate about the intent that we had from Congress. We got some good letters from Congress with regard to advising us on that. We did define that particular provision.

The other had to do with a matter which I don't believe the publication of the final rule seriously inhibited the States at all with regard to their operation of programs. It had to do with a confidentiality issue which stemmed from the recent concern on the part of Congress and us with regard to the extent to which information about alleged perpetrators should be available to people. What we did was, we had in fact taken care of that with regard to solving any problem that States had affecting their eligibility last year. And as I said, we published the final rule this year. I don't think that that represented, though, any major distress for the child abuse program nationally.

Mr. OWENS. Thank you.

Dr. Elder, could you indicate what items you do have to submit and we can adjust our questions on that basis. There's no need to ask questions about things that are going to be submitted if you will just give us a list of the things that you're submitting.

Ms. ELDER. All right, fine. Now?

Mr. OWENS. Now, yes, for the record.

Ms. ELDER. All right.

The report to the Congress on child abuse, the 1985 report; the minutes from the Advisory Board on Child Abuse and Neglect that you requested; the résumés for the non-Federal members, which you requested.

Mr. OWENS. Any other items.

Ms. ELDER. No, sir.

Mr. OWENS. All right, thank you very much. Without objection, those items will be entered into the record.

I just have one last question. Could you clarify your current position on the Children's Trust Funds? You stated that you're not asking for a continuation of that program, that all of the States now have programs in place. I understand you rescinded—you made a decision, a recommendation to rescind funds for fiscal year 1986 in the Children's Trust Funds. Can you explain what your position is on that and why?

Ms. ELDER. Yes, I'd be glad to, Mr. Owens, and that's on this sheet that I——

Mr. OWENS. That sheet you are also submitting?

Ms. ELDER. I am submitting the sheet, Status of OHDS Funding, for the record.

Let me talk a little bit about Children's Trust Funds, or the Child Abuse Challenge Grants. We are asking for a repeal in 1988. This bill is not up for reauthorization at this time in terms of where we are for 1988.

Now, let's back up a bit. It's on this sheet, but let me review it with you; $5 million was appropriated for the Children's Trust Funds in late August 1985, and that 1985 money was carried over to be used in 1986. We published in the Federal Register in May 1986, and we made the grant awards to the States in September 1986. With our 1987 money—which, again, is $5 million—we are

using the same process. In other words, we are publishing in the Federal Register; the States will respond to that announcement in the Federal Register, and moneys will go out before the end of the fiscal year.

Now, not all States have this in place; 40 do at this time, and we are asking for a repeal in fiscal year 1988. This bill is not up for reauthorization, so we have not "impounded" or whatever the other words are.

Mr. OWENS. On NCCAN for one moment, what is the situation with respect to its director at this point?

Ms. ELDER. The Director of NCCAN is sitting to my right. Dr. Jane Burnley is the Director of NCCAN.

Mr. OWENS. Well, do you want to explain—is this in addition to other duties? Is there a new arrangement, or what is the situation with respect to that?

Ms. BURNLEY. I serve as Associate Commissioner for the Children's Bureau and oversee all of the child welfare programs, which includes the National Center on Child Abuse and Neglect. I have for the last 3 months worked directly with branch chiefs in the National Center——

Mr. OWENS. Just a minute. This Howerton who was heading the NCCAN before, was she under you?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. OK, so you were her supervisor?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. And Howerton has been detailed out?

Ms. BURNLEY. Yes, sir. At this point she is not working in the National Center. She is working in other assignments.

Mr. OWENS. She is no longer in that position?

Ms. BURNLEY. No, sir.

Mr. OWENS. So you are assuming an additional set of duties——

Ms. BURNLEY. Yes, sir.

Mr. OWENS [continuing]. By assuming the duties that were under you before, under the administration of Ms. Howerton?

Ms. BURNLEY. Yes, sir.

Mr. OWENS. All right. I just wanted to get it clear.

Ms. BURNLEY. I have been very integrally and actively involved in all of the matters related to the National Center for all of the two and a half years I have been there, so picking up this additional responsibility did not really represent much additional responsibility.

Mr. OWENS. Meaning not much is happening at NCCAN?

Ms. BURNLEY. No, sir, I have concentrated a great deal of my energy on NCCAN-related matters all throughout the time that I've been at the Childrens Bureau.

Mr. OWENS. Will you get additional staff to compensate for the loss of a high-level professional? Will there be anybody additional to assist you?

Ms. BURNLEY. In this particular position? Well, first, there are—first of all I guess I should say that I will be leaving the Childrens Bureau at the end of this week. I have a special assistant who has worked very closely to me; she has been named as Acting Associate Commissioner, and she will fulfill all the responsibilities that I had.

Mr. OWENS. So we lost Howerton, and now we lose you? And the person coming in is at what level?

Ms. BURNLEY. At what level? She will take my position. At this point she serves as my special assistant.

Mr. OWENS. So we now have the special assistant who will have all of your responsibilities as Associate Director, and also——

Ms. ELDER. Mr. Owens, she will leave that position and occupy a new position. She has been named Acting Associate Commissioner effective Monday of next week. As Dr. Burnley mentioned, she will be leaving her post come the end of this week.

And to follow up on your question, I think you were asking in terms of replacements at NCCAN. I have already given that notice to the present Associate Commissioner, and we have posted certain positions for hire.

Mr. OWENS. Will NCCAN ever have another director?

Ms. ELDER. NCCAN has a director, sir. The Associate Commissioner of the Childrens Bureau, Jane Burnley, is the director.

Mr. OWENS. Yes, but before we had a director who was just responsible for NCCAN. Will there ever be another position of that kind?

Ms. ELDER. The answer is "yes."

Mr. OWENS. There will be another director chosen?

Ms. ELDER. Yes. The answer is yes.

Mr. OWENS. Who will not have the dual responsibilities?

Ms. ELDER. That is correct.

Mr. OWENS. When do you expect that to happen?

Ms. ELDER. I'm not certain.

Mr. OWENS. In 6 months? In 14 months?

Ms. ELDER. It certainly won't be in 14 months. It will be before that time.

Mr. OWENS. All right.

I think as a result of today's testimony and the items that you are submitting, we can reframe some of the questions—we may have additional questions, but some of the questions that we submitted, we want to restate them in a different way. But we'll review the material and submit additional questions, and we may ask you to come back as a result of clarification of some of those questions if they're not answered. But we will submit that to you in writing and expect your written reply.

At this point I'd like to note that Mr. Bartlett, the ranking Republican on this committee, was not able to be here. At the last minute he had an emergency and could not make it, and we have agreed to allow his counsel, Mr. Esquith, to ask some of the questions that Mr. Bartlett would have asked if he had been here.

Mr. Esquith.

Mr. ESQUITH. Thank you very much, Mr. Chairman. I'll only ask two questions.

One is for the record concerning your earlier statements on the Family Violence Prevention and Services Act. Could you clarify whether the Department has asked for a rescission of fiscal year 1987 funds for that act?

Ms. ELDER. The answer is, "no."

Mr. ESQUITH. Thank you.

A second question, could you describe some of the activities that the Department is funding relating to child abuse and handicapped children and their families?

Ms. ELDER. I'd be glad to.

Jane, do you want to start with some of the projects that you've got, and I'll follow along?

Ms. BURNLEY. Last year we did publish a discretionary grant announcement for programs which would support community-based programs for parent aides to intervene with infants who were born in hospitals who were identified as high risk and handicapped infants. I can give you the specifics on the location of those particular programs, but that has been one approach that we have taken.

Just this past year we also took note of the crisis nursery and respite care provisions which were part of the amendments to the Children's Justice Act for which there was no specific new appropriation this year, and last year we published a priority area to do demonstration projects in that area using respite with high-risk children.

Would you like to talk about some of those?

Ms. ELDER. No, go ahead.

Ms. BURNLEY. We received a number of applications. Most of those applications centered on intervention with families who had disabled infants or children. We are going to be funding a number of those. Those announcements will be made, probably, in about 30 days.

Again, that was a family-based intervention to provide support to families who have disabled children.

We are right now in the process of developing draft priorities for fiscal year 1988 for the discretionary funds program in the child abuse area. We are quite cognizant of the interest of groups who are interested in our concentrating effort and energy again in the area of child abuse prevention among children who are disabled. That is something that, I think—in the early 1980's there were 2 or 3 years in which we supported demonstration grants. For example, the University of West Virginia developed a good program of intervention with families that had handicapped children. But we are considering doing that again, and it appears to be reemerging as an issue of interest and concern, so we will take that under consideration for fiscal year 1988.

Ms. ELDER. I think what would be very helpful would be if you would give us the opportunity to submit for the record kind of a chronology of what we've done in this area in terms of child abuse and disabled individuals. It's an area of great interest of mine, also.

I'd also like to mention——

Mr. OWENS. Without objection, we will let you submit that for the record.

Ms. ELDER. The other thing that has been really exciting to see happen in the Childrens Bureau component of OHDS is picking up on a model that's been used in a lot of our university-affiliated facilities, in that they have announced opportunities to provide multidisciplinary training for people who are really interested in the child abuse area, and that's a new technology or a new methodology to bring to the training of people who want to commit their pro-

fessional life to this area. I really believe that that will have a significant impact on the outyears.

Mr. ESQUITH. Thank you, Mr. Chairman.

Mr. OWENS. Just one last question. At a previous hearing in New York City, Dr. Fontana of the New York Foundling Hospital described a program which he called "Crisis Nursery: An Island of Safety" as a type of program which provides parent self-help opportunities. In other words, opportunities for parents who feel that they are in a problem situation which might result in their abusing their children, to sort of deposit their children—in this case, at the hospital—and he offers this as a model that he feels ought to be replicated more widely nationwide.

What is your position on that model?

Ms. ELDER. We agree—Dr. Burnley, do you want to talk a little bit more about that?

Ms. BURNLEY. On a recent trip to New York, I became aware of that particular program. It is one which seems to be quite effective in the area of prevention, and it's something that I think we would be very interested in looking very closely at because we use our discretionary grant funds in a variety of ways. We do research; we do like to provide support for the development of innovative demonstration programs. We also use it to develop new information and materials. I do have some examples of some of the materials that have been developed and widely disseminated. But in addition, we use it for the replication of what are known to be successful approaches, and I think that's something that we would be glad to look at this next year.

Mr. OWENS. Your records don't show that that kind of program has been sponsored in other parts of the country?

Ms. BURNLEY. The concept of applying respite in intervention as a prevention device is not a new one. It has been around a long time, and I know that it has been spawned in a number of communities. If we published it as a project for replication in other communities, the thrust would be to provide seed grants for communities to start such a program which didn't right now have one, and that's one of the ways that we use our grants.

But yes, that is a model which I think has a good deal of application.

Mr. OWENS. Dr. Fontana proposed at the same time that we, in the reauthorization of the bill, seek to narrow the experimentation and the options, that there ought to be enough experience now to be able to focus in on a few models and not have as many options, that in the actual legislation there should be some percentages set aside for certain kinds of programs. Do you agree with that approach?

Ms. BURNLEY. No, sir, I don't. Our legislative proposal addresses the area of demonstration and grants. What we have done is to look at the current bill and the language in that bill. It's quite outdated with regard to the demonstration area. We've offered language which we think brings it more up to date in 1987.

I think that in this field we are still—it's in many ways a very young field. It's only been 20 years since publication of "The Battered Child Syndrome" by Dr. C. Henry Kempe. We still have a great deal to learn. I think we are still at a point where we need

innovation and intervention. Clearly, there are areas which we know work in terms of intervention; for example, we've targeted intervention with teen parents. We know they're an "at risk" group. We have last year and this year targeted that for special emphasis and have placed millions of dollars in support of projects around the country to develop child abuse prevention programs focused at teens who are parents. That's an example of an area where we know there's risk and we know that we can have some effect.

But those kinds of things change from time. What we know and what we learn, hopefully, improves each year. And being too specific about the things we ought to be funding at this point I don't think will advance our knowledge.

Mr. OWENS. Thank you, Dr. Burnley. I hope that some of your wisdom will be left behind you as you move on. Despite the fact that we disagree on a fundamental area with respect to the reauthorization of the Family Violence Prevention and Services Act, we look forward to working with your successor and with Dr. Elder and other members of the Administration in preparing a bill for reauthorization which will be acceptable to all and which will accomplish the purpose.

On family violence, I hope you will reconsider and take a close look at the phenomenon that's occurring in this country. Thousands of spouses died in family violence in the past year; and in those same families, of course, there were thousands of children who were affected by that violence. It deserves some special treatment. The very miniscule efforts that have been made by the Federal Government to date don't begin to address the magnitude of the problem, but at least it is a stimulant. And as a result of the Federal involvement, more has been done by the States since the enactment of that legislation than was done previously.

The fact that it is a small program is no reason why it should be singled out to be cut. When we say that it's a small, inconsequential program, we imply that big is better and big spending is better, that Federal programs which involve big spending are more desirable and they are more likely to be protected. I think the opposite should be true, that the Federal role in many cases might be a very small one fiscally. The amount of funds may be very tiny, but the very involvement of the Federal Government in the coordinating and stimulating role makes a large number of things happen. It gets a cumulative effect throughout the country.

And this is the kind of program that we're talking about, the Family Violence Prevention and Services Act. It's that kind of tiny program which makes a lot of very positive waves and has made a lot of very important things happen throughout the country.

So I hope the administration will reconsider, but we will certainly work as closely as possible to try to get the best possible bill for the families and children of America.

Ms. LIVINGSTON. Could I just make one real quick comment?

Last year among our legislative proposals was one to combine the family violence program with the child abuse program. I don't want to make this sound like an apology or an excuse, but one of the things that happens to us with this proliferation of small programs is that we have to then identify another staff person to do

each one separately. If some of these efforts that basically have many underlying commonalities, although they maybe would hit a different age group—it would be so much easier fc us to have a program centered in a particular part of our agency, working on a program, say, zero to when you die family violence, whether it's at child level or adult. I mean, that's where the Congress could help us out, just to make our bureaucratic problems a little easier.

Mr. OWENS. Would you like to make a commitment to work together with us to retain the $3.5 million in funding as long as we fold it into the—we want to retain the funds, and we will work with you to see that it's not an administrative problem requiring more staff. It is part of the same piece of legislation and we don't see why it can't be handled with the same staff. The funding is needed in order to have any impact.

Ms. BURNLEY. Our proposal was also based on the belief that it would be of help to States if they could, in fact, more easily combine their efforts in responding to the issue of child abuse and family violence because we do think that there is a strong relationship between those two problems. And that was the rationale behind it. Every time we create a separate categorical program, States end up lining up their administrative systems and structures to parallel the Federal separate administrative structure. Our belief is that it would be of use, both programmatically and administratively, for States to be able to take an integrated approach to the area of family violence and not necessarily separate out spouse abuse versus elder abuse versus child abuse, because there are a lot of commonalities, both in terms of nature and in terms of intervention.

Mr. OWENS. Thank you very much. We would like to state that the record will be left open for you to reply to the written questions that we will submit.

We will make an effort to narrow our questions down to about 10 or 15 very basic questions, and we would appreciate it if you would accept it in that spirit and really make a serious attempt to answer those 10 or 15 basic questions and get back to us as soon as possible.

Thank you again for appearing. The hearing is now adjourned.

[Whereupon, at 12:22 p.m., the subcommittee was adjourned.]

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